

CITY OF LEADVILLE
Tuesday, February 21, 2017 – 6:30 P.M.
REGULAR COUNCIL MEETING MINUTES
800 HARRISON AVENUE, LEADVILLE, CO.

1. Call to Order of regular meeting
2. Pledge of Allegiance.
3. Roll Call.
4. Approval of Agenda.

Agenda Revisions, if any.

None

Public Comments about items not on the agenda.

Michael Butterfield – Would like to make a complaint against Officer Thorne. He was evicted illegally with no notice and lost everything he owned. Officer Thorne said he had only two hours to move. Has receipts to prove paying rent. Alleges police stole his computer and other items and Calvin Dawe refused to write a report. Mayor Labbe informed him that his time was up.

Approval of the Minutes from January 17, 2017

Replace 5 with % in treasurer

CM Chimovitz moved, CM Gowing seconded.

Affordable Housing Discussion and Update (10 min)

Mayor Labbe asked if any protestors were in audience or if they were not interested. None.

ASM Dallas, Amy Tait and Shoshanah Beck presented about the coalition and became members of the Housing Now. Have been working with Chaffee county who is having similar issues as us. Out of all of those we determined that the 2016 EDC Strategic Plan, have a real legitimate Housing Needs Assessment. The study will determine which model we go with. The budget for the needs assessment is a very important foundation. Talked to neighboring counties and decided our budget is \$65,000. LCBAG is willing to contribute \$15k. DOLA is the next step and we are asking for \$25k, but requires a match. Cannot submit the letter until the remaining funds have been committed. It is a revolving grant. We have also submitted an ask from Climax for \$10k. This would meet the match requirement. If successful, we will need an additional \$10k from the community.

Released the RFP two weeks ago. Used other language from other RFP's in the state. It was identified in a meeting Climax puts on and partnered with Arizona State University with all 4 counties in a 12 month process. A few people on that group are in this coalition. Identified Lake is the most in need. Summit and Eagle are have Housing Authorities and Chaffee has a Housing Trust and on their way to a housing authority. This is something that can be implemented immediately once complete and there is a strong group of community invested. This is a tool. This will provide statistics for potential developers.

Mayor Labbe suggested that the demographic study is a waste of money. This has been done and is not necessary and a waste of money.

Shoshanah Beck responded that they asked in the RFP for people to use other studies and it is easily accessible information.

Confirmed that they were asking for the maximum amount of \$25,000. They want to focus more on the actionable items and less on demographics. No financial request today, just an update.

Mayor Labbe questioned at what point will they be able to make a difference with housing? Any feeling for timeline?

Shoshanah Beck responded that it's appropriate not to rush these kinds of things. Goal is to have this done by the fall.

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CM Chimovitz asked when they will be coming to Council for money and how much? ASM Dallas indicated that it not known yet. She would expect within one to three months, probably under \$3000.

Ordinance 4, Loitering Provisions 1st reading

ASM Dallas explained that we were one of the municipalities that the ACLU contacted about language that was in code that violates civil rights. Sent letters to city attorney to amend. The city Attorney included a staff report.

CM Chimovitz has questions about the language “deviant sexual intercourse?” and “loiters with one or more narcotics or drug” but marijuana is still listed as that. This is potentially a conflict. Those two points he would like removed.

ASM Dallas indicated that we can get some clarification from the city attorney for review and comment for second reading.

City council would rather send this back to the city attorney for review and move first reading. Move to March 7th.

Mayor Labbe moved to request Ordinance 4 be delayed to March 7th, 2017, MPT Duarte seconded.

Mayor Pro Tem Designation*

Mayor Labbe suggested this be a no action item. We did not define the term. He is in the last 9 months of his term but would like to see what city council thinks. CM Mohrmann seconds that thought. CM Chimovitz asked for clarification of the term.

Resolution 6 – A Resolution Authorizing the City of Leadville to Enter into a Government Obligation contract and Related Documentation with KS State Bank for the Lease & Purchase of One New 2017 Mack Truck for Municipal Purposes

Explained the large boxes for this new truck and that they’d like to “retro-fit” their current truck. CM Chimovitz questioned if this has been reviewed and approved by city attorney.

CM Shpeherd thought we had agreed that we would make one payment and then another.

ASM Dallas read Roy’s message to council.

CM Mohrmann moved, CM Chimovitz seconded.

New Liquor License Hearing – Treeline Kitchen

Mayor Labbe read into record the public hearing script.

Ask City Council had contact with the applicant regarding this matter. Did anyone have contact with the applicant – yes for the tour. Everyone is in a position to be fair and impartial. Cm Mohrmann explained it was simply to get an idea of the layout.

Eric Wupperman explained they are opening a family restaurant in town starting with lunch and dinner, primarily a restaurant with food primarily and alcohol as well, but not a saloon. Been in restaurant business for over 25 years and been in Leadville for over 10 years and has been traveling out of town for this time so he and his wife, Christine, are opening this restaurant. Explained the space here on Harrison Avenue with several rooms. Knows he will need to react to community and clientele. They will start with the primary floor space. They will slowly grow into roof, etc. They will be here constantly managing. They intend to be owner-operators. Explained experience with liquor licensed establishments and restaurants.

Jim Schneiter – how many employees anticipated? It will depend but estimated 25-35. Any plans for parking? It will be adventure. Guests might have to park a little further away and walk. Landlord is in discussions with someone regarding a nearby lot for potential employee parking. They will not allow employees to park in front of the restaurant.

Roasted and Fried Chicken and lots of vegetables and salads and offer fish and shrimp – real food, real vegetables. Not steak and Mexican and pizza so they do not intend to do any of those. No plans for entertainment at this point.

Plans to open April fools day.

Public in favor:

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Luke Roberts: Speaking on behalf of EDC and Eric has come very experienced and liquor license is intricate part and speaks in favor.

Kelsey Conine– Known the family for 5 year sand speaks in favor.

None in opposition.

CM Beck moved to close hearing, CM Gowing seconded. CM Mohrmann moved, CM Chimovitz seconded.

Silver Dollar Liquor License Discussion & Hearing Date Setting

CM Chimovitz questioned the setting of hearing dates pending the prosecutor in case he/she cannot accommodate.

CM Chimovitz moved, MPT Duarte seconded

Second Reading Ordinance 03, Series 2017 An Ordinance Zoning Certain Land Known As The Railroad Property From 60 B Business In Unincorporated Lake County To Commercial Highway Business (C) In The City Of Leadville, Colorado And Amending The Official Zoning Map Of The City

Mayor Labbe read the script into record.

Lee Flannigan – Explained that they had a presentation on January 24th. Gave a quick summary. Happy to answer any questions. CM Shepherd asked about Kum & Go project. Questioned if there would be commercial or residential start then. Lee explained that Kum & Go will be able to start this spring where they will be working on infrastructure this summer.

Mayor Labbe asked about This is very preliminary and seeking correct zoning to start. There will be opportunity to have developers purchase pieces and have them build affordable housing as well. There are several types of affordable housing. The goal is not to build luxury homes, but build what is needed and what people want and hopefully meets a local need.

ASM Dallas read into record a letter from John Lichtenegger.

Sarah Mudge – This is a placeholder and there is still a process to come for planned unit development to come.

In opposition: None

CM Gowing moved to close, CM Beck seconded.

Mayor Labbe explained he attended the Housing Now conference. He explained that these are very competitive tax credits. He explained that they build the project up front and then receive tax credits over certain number of years.

ASM Dallas – as you enter into more conversations with developer, Council will have to determine where and how the city will participate in this process.

ASM Dallas explained Planned Unit Development or subdivision. Potential rezoning, overlay. Subdivision would be individual application processes.

Confirmation that this is just a placeholder.

CM Gowing moved, CM Beck seconded.

9. Department Reports.

Report of upcoming meetings

CLG Workshop February 28 & March 1st.

TOH Open House Consultants over Ski Joring Weekend.

TIPS Training.

March 15th Fire Planning & Management at City Hall at 10am

Fire Report

All wildland fire funds came in – it is more than they had projected. There was an additional \$30k that was not allocated to that. He took the amount specifically for the Engine, but didn't include the rest of the amount. Construction is starting at the station on the kitchen. Trying to make things more accommodating for more staff due to the SAFER grant. Attended HTOA today. Done with second hiring process of SAFER grant. More interest in the reserve position than the resident position.

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CM Chimovitz questioned the truck getting stuck in the alley. They were not on a call. They have been stuck a few times, not just in the city. It is a new piece of equipment and it operates differently.

CM Mohrmann asked about type of equipment for bad weather.

Chief Dailey explained the training and education. Resident is required to do 3 years and a reserve is required to do 2 years. They have a total of 14 candidates.

A lot of back to back emergencies and seeing a trend. This is calls that are overlapping and can be up to 4 at a time. This is difficult with a 3 man team.

CM Chimovitz questioned the Shamrock Gas Station Fuel Spill. Chief Dailey does not know personally but Deputy Chief Boyle would know better. Curious about whether or not a patron or the equipment. Chief Dailey will look into and get back to council.

Administrative Services Report

Mayor Labbe asked if there were many questions regarding snow. Occasionally but most looking to talk to Mayor or Jim.

MPT Duarte asked how to get a hold of Jim if he does not return calls. ASM Dallas explained that Jim is responsive to her on his cell phone. Mayor Labbe suggested that the calls at the shop get forwarded to Mayor Labbe during the day when they are out. Jim agreed to that plan.

Police Department Report

Parking tickets are up. Mayor Labbe said that we have lost two officers – one has resigned and one hired by the county. Resignation was Brian Cambra. He lives in Front Range and wants to work down there. Retirement of Calvin Dawe after 17 years. There has been an ad in for about 6 weeks to replace and have not received a single applicant. Received one. There is also a new hire. There is a lack of qualified candidates. It's a problem statewide. The chief has reached out to police academies. ASM Dallas explained that we should discuss because the fire department would be a great model. It will be on the agenda for February 28th. Chief Dailey explained that that is a key element of their success. Enrollment in academy is down. Chief Dailey said this is the case in the fire as well.

City of Leadville is 20k lower than Front Range. It is equally as difficult to find people in the front Range.

Animal Shelter Report

CM Chimovitz appreciates the valuation of donated items.

Street Department Report

Mayor Labbe said we had a good meeting last night and 4 out of 5 were here.

Jim – downtown is looking beat up and they don't have time to fix them. Real issues behind Quincy's and Chinese restaurant. Trying to get alley. 11th street dump is almost full. Talked about snow storage.

CM Chimovitz – Leadville used to get consistently more snow than now. People regularly report that the streets have never been as bad as this year. He agrees. The difference is that people now shovel into the road, people have heavy equipment they use which they didn't use to have and people have more houses. CM Chimovitz questioned that the population used to be much greater though. Jim explained that people used to have less cars.

CM Chimovitz questioned Jim contributing the problem to inconsiderate residents and people parking in the street. People are double parked at 2am and Jim calls the PD and has them ticketed.

Chief Dailey suggested that it might be better during the day when all for the cars leaves town and it's warmer and you're not dealing with ice. Jim responded that they need to have the roads ready for buses in the morning. Now they've implemented a contractor and one of his guys.

Mayor Labbe said that he did not want to continue this conversation as they already did last night. Mayor Labbe said that we got hit so hard so early and no one has caught up.

CM Chimovitz commented that we will get hit very hard this spring.

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CM Shepherd questioned how we prepare for the floods. CM Chimovitz asked about a tentative schedule a month ago. Mayor Labbe said they issued them last night. CM Chimovitz suggesting public relating component. Mayor Labbe agreed.

All in favor of all reports.

Treasurer's Report.

We continue to increase and will see how the trend progresses this year. 2016 is higher than projected 2017 due to the budgeting of 10% higher than prior year budgeted, not actual.

Bills – CM Beck questioned why we haven't been following the City Municipal Ordinance on awarding contracts. Not talking about the emergency situation, but after that. Mayor Labbe responded that he doesn't have a good answer because he doesn't know what that process is. After the 4 weeks, we probably could have bid out the rest. He believes that was emergency situation due to warmer weather.

CM Beck – asked if we can go through that process now before we go into our high snow season. Mayor Labbe will talk with ASM Dallas on an RFQ or similar.

CM Beck questioned the situation where we put Ken Berger in a city vehicle. We need to cover our butts. Mayor Labbe confirmed that it wouldn't happen again, but then she saw him the next day.

Mayor Labbe suggested that the intent was to hire a temporary employee, but realized that they needed to go through the official hiring process. Mayor Labbe said they would start the application process tomorrow morning. They have screened one out that they will not be interviewing.

If we paid him and he was employed illegally, are we liable? Ken Berger did not get paid for those additional days. ASM Dallas does not think the city should not want to not pay someone for days they worked. ASM Dallas can contact the city attorney and get a legal opinion prior to paying him. CM Chimovitz wants to reduce risk to the city. CM Beck is not questioning the contractors but the person who was hired and used our equipment.

CM Chimovitz moved, CM Mohrmann seconded .

Mayor's Report.

Anow meeting last night went very well and civil. Many suggestions which he will get typed up and sent to council. Updated snow removal plan and it ended on a very positive note. Shuttle program for Ski Joring on Saturday. It will be advertised to finalize the schedule. Mayor Labbe asked if anyone has heard about a service for Mike Canty. ASM Dallas mentioned there is a Go Fund Me, but not sure if it's funded yet.

Council Reports.

None

Adjournment.

9:16 PM