

**THE TOWN OF MOUNTAIN VIEW
TOWN COUNCIL MEETING AGENDA
OCTOBER 21, 2019
6:30 PM**

- 1) CALL THE REGULAR MEETING OF THE TOWN OF MOUNTAIN VIEW TOWN COUNCIL TO ORDER AT THE TOWN HALL, 4176 BENTON STREET/ROLL CALL** (Any Council member with any potential conflicts of interest regarding any agenda matters will declare them after Roll Call)

2) CONSENT AGENDA

6:30 PM

The items listed under "Consent Agenda" are intended to be acted on with a single motion and vote. This expedites the handling of routine matters by the Council. The Council has received the information prior to this meeting. The Mayor will ask if a citizen wishes to have a specific item discussed. A Council member may request an item be removed from this agenda on behalf of a citizen or themselves and will state whether the item will be discussed in the meeting or tabled. The removal, or tabling, of an item requires a second and majority vote of the Council to be removed. Items on the Consent Agenda are then voted on by a single motion, second, and non-roll call vote.

- a. **Summary Account Information & Accounts Payable for September 2019 – Finance Committee**
- b. **Meeting Minutes – August 5, 2019, August 12, 2019, and August 29, 2019**

3) UNSCHEDULED PUBLIC COMMENTS-COMMENTS ARE LIMITED TO 3 MINUTES

This time is reserved for members of the public to discuss items not scheduled on the agenda. The Council will not discuss these items, nor will they make any decisions on items presented during this time. The Council will refer the items to staff for follow up. Comments are limited to 3 minutes per person.

6:35 PM

4) STAFF UPDATES AND/OR REPORTS

6:40 PM

Municipal Court – Police – Public Works – Town Attorney – Town Clerk/Treasurer

5) PUBLIC COMMENT ON CURRENT AGENDA ITEMS – LIMITED TO 3 MINUTES PER SPEAKER

6:55 PM

6) SECOND READING - ORDINANCE NO. 2019-09-16, AN ORDINANCE AMENDING SECTION 7-3-30(D) OF THE TOWN OF MOUNTAIN VIEW MUNICIPAL CODE BANNING CERTAIN TREE SPECIES – TOWN ATTORNEY

7:10 PM

7) DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2019-10-21A, AN ORDINANCE ADOPTING A BUDGET SUMMARIZING REVENUES AND EXPENDITURES FOR THE TOWN OF MOUNTAIN VIEW FOR THE CALENDAR YEAR COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, AND APPROPRIATING FUNDS THEREFOR - MAYOR/TOWN ATTORNEY

7:15 PM

BREAK IN SESSION (10 MINUTES)

- 8) **DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2019-10-21B, AN ORDINANCE AMENDING SECTION 6-7-210 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO SECURITY REQUIREMENTS FOR RETAIL MARIJUANA ESTABLISHMENTS – TOWN ATTORNEY**
7:50 PM
- 9) **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2019-10-21A, A RESOLUTION AMENDING THE RECORDS POLICY TO CLARIFY THE RETENTION REQUIREMENTS FOR ELECTRONIC COMMUNICATION – MAYOR/TOWN ATTORNEY**
7:55 PM
- 10) **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2019-10-21B, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN MARK'S QUALITY LAWN & TREE AND THE TOWN OF MOUNTAIN VIEW FOR SNOW REMOVAL –MAYOR PUBLIC WORKS DIRECTOR**
8:05 PM
- 11) **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2019-10-21C, A RESOLUTION AUTHORIZING THE RIGHT-OF-WAY PERMIT FEES FOR SIDEWALK AND DRIVEWAY REPAIRS/REPLACEMENTS WITHIN THE TOWN OF MOUNTAIN VIEW – MAYOR/PUBLIC WORKS DIRECTOR**
8:10 PM
- 12) **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2019-10-21D, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN _____ AND THE TOWN OF MOUNTAINVIEW FOR THE PROVISION OF CORNER CURB, SIDEWALK AND RAMP RECONSTRUCTION ON WEST 41ST AVENUE – MAYOR/PUBLIC WORKS DIRECTOR**
8:20 PM
- 13) **DISCUSSION REGARDING MARIJUANA DELIVERY CONTINUED – MAYOR/TOWN ATTORNEY**
8:30 PM
- 14) **COMMITTEE UPDATES**
8:45 PM
Admin Committee–CDOC-Finance Committee-Economic Development Committee
- 15) **MAYOR'S REPORT/ITEMS**
8:55 PM
- 16) **COUNCIL MEMBERS' REPORTS/ITEMS**
9:00 PM
- 17) **EXECUTIVE SESSION PURSUANT TO C.R.S. 24-6-402 (4) (b) OR MEETING TO ADJOURN**
9:10 PM

TOWN OF MOUNTAIN VIEW
TOWN COUNCIL MEETING
OCTOBER 21, 2019
SIGN IN SHEET

Print Name	Signature	Email Address
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Betty VanHoutte	Betty VanHoutte	N2 N2
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TOM MACKAY	[Signature]	TRACKS@GOVERNSON.COM
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NANCY UNGER	Nancy Unger	nancy.b.unger@gmail.com
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Tyler Sapin	[Signature]	
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Ann Clark	ANN CLARK	
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**THE TOWN OF MOUNTAIN VIEW
TOWN COUNCIL MEETING MINUTES
OCTOBER 21, 2019**

PRESENT: Mayor Glenn Levy; Councilmembers Chelsea Steen, Mayor Pro Tem; Kathleen Bailey; Mladenka "Mia" Boehrer; Sean R. Davis; Adam Ellsworth; and Adam Hillig.

EXCUSED/ABSENT

MEMBERS: Councilmember Adam Hillig

STAFF MEMBERS

PRESENT: Steve Davis, Chief of Police; Gene Bird, Public Works; Beverly Seidel, Court Clerk; Kaytlyn Perez, Admin Assistant; and Sarah Albright, Town Clerk/Treasurer who recorded the meeting. Minutes are not verbatim.

MEETING TIME: 6:33 PM

LOCATION: Town Hall

THE TOWN OF MOUNTAIN VIEW TOWN COUNCIL CALLED THE REGULAR MEETING OF THE TOWN OF MOUNTAIN VIEW TO ORDER

Mayor Levy called the meeting to order and roll call taken with members that were present.

CONSENT AGENDA

Levy introduced the agenda item.

Consent Agenda included the Summary Account Information & Accounts Payable for September 2019, and the Meeting Minutes for August 5, 2019, August 12, 2019, and August 29, 2019.

Councilmember Ellsworth motioned to approve and Councilmember Bailey seconded. All Aye. The motion passed.

UNSCHEDULED PUBLIC COMMENTS

Levy introduced the agenda item.

Betty VanHarte, 4118 Ames Street commented.

John Mackey, Police Chief Edgewater, was there to present a Proclamation to the Town of Mountain View Police Department. He stated they were fortunate to have Mr. Steve Davis as your chief. Thank you.

STAFF UPDATES AND/OR REPORTS

Levy introduced the agenda item. It is the quarterly report and asked they keep it brief.

Municipal Court-Beverly Seidel gave a brief update as her report was in the packet. They have been working on the Caselle conversion since July.

Police-The packet was a table setting and Chief Davis gave a brief overview.

Public Works- Gene Bird said his report was in the packet. One quick update about 2/3 of the sewer project is done. Curb and gutter work will begin at 41st Avenue by Fenton and wrap around, a new connection to drain water and tie into a new underground drain and install a new manhole. There will also be some work in the street on Ames.

Town Attorney-Attorney King stated everything was in the packet. No new information.

Town Clerk/Treasurer- Clerk stated her report was in the packet. She wanted everyone to know that she wished Kaytlyn Perez all the best in her new career. Her last day is Tuesday, October 22, 2019.

PUBLIC COMMENT ON CURRENT AGENDA ITEMS

Levy introduced the agenda item.

There were no comments.

SECOND READING - ORDINANCE NO. 2019-09-16, AN ORDINANCE AMENDING SECTION 7-3-30(D) OF THE TOWN OF MOUNTAIN VIEW MUNICIPAL CODE BANNING CERTAIN TREE SPECIES

Levy introduced the agenda item.

King noted she made the updates as directed from the first reading.

Councilmember Steen motioned and Councilmember Ellsworth seconded. The motion passed with roll call vote of all members present.

ORDINANCE NO. 2019-10-21A, AN ORDINANCE ADOPTING A BUDGET SUMMARIZING REVENUES AND EXPENDITURES FOR THE TOWN OF MOUNTAIN VIEW FOR THE CALENDAR YEAR COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, AND APPROPRIATING FUNDS THEREFOR

Levy introduced the agenda item.

Lorraine Trotter, Town Accountant, reviewed the budget with everyone. The budget meets the requirements for submitting it annually. The budget is fairly constant. It shows the four funds, three are governmental and one is the special revenue.

Discussion included: medical revenue; capital expenditures; VIN fees; future medical marijuana revenue.

Councilmember Steen motioned to approve and Councilmember Boehrer seconded. The motion passed with roll call vote of all members present.

RESOLUTION NO. 2019-10-21C, A RESOLUTION AUTHORIZING THE RIGHT-OF-WAY PERMIT FEES FOR SIDEWALK AND DRIVEWAY REPAIRS/REPLACEMENTS WITHIN THE TOWN OF MOUNTAIN VIEW

Levy introduced the agenda item.

Levy noted we did not have a codified fee schedule for right-of-way permits. He and Bird reviewed other entities fee schedules.

Bird stated they were looking at regulations from other cities and towns in the area. We were roughly twice as high as others and needed to make an adjustment.

Steen suggested a cap for residential properties and commercial would not be included in that.

King noted two-tier is not an issue; it counteracts the fact that those that did unpermitted work and the Town must end up fixing it.

It was suggested a cap of \$500 per resident.

Councilmember Ellsworth motioned as amended and Councilmember Steen seconded. All Aye. The motion passed.

ORDINANCE NO. 2019-10-21B, AN ORDINANCE AMENDING SECTION 6-7-210 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO SECURITY REQUIREMENTS FOR RETAIL MARIJUANA ESTABLISHMENTS

Levy introduced the agenda item.

Levy stated the reason for the ordinance came about when a recent store opened and used a panic bar instead of a deadbolt. It is a safety item.

Councilmember Bailey motioned and Councilmember Ellsworth seconded. The motion passed with roll call vote of all members present.

RESOLUTION NO. 2019-10-21A, A RESOLUTION AMENDING THE RECORDS POLICY TO CLARIFY THE RETENTION REQUIREMENTS FOR ELECTRONIC COMMUNICATION

Levy introduced the agenda item.

King stated this pertains to emails, text messages, and the retention schedule. It was recommended to set up something in your Outlook in special folders and set the inbox to auto delete after 30 days. Emails that refer to budget, personnel issues, and attorney correspondence would be kept forever. It was suggested to delete scheduling items immediately.

Councilmember Ellsworth motioned and Councilmember Boehrer seconded. All Aye. The motion passed.

BREAK IN SESSION

7:30 PM

BACK IN SESSION

7:46 PM

RESOLUTION NO. 2019-10-21B, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN MARK'S QUALITY LAWN & TREE AND THE TOWN OF MOUNTAIN VIEW FOR SNOW REMOVAL

Levy introduced the agenda item.

Councilmember Bailey motioned and Councilmember Steen seconded. All Aye. The motion passed.

RESOLUTION NO. 2019-10-21D, A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN DIAZ CONSTRUCTION AND THE TOWN OF MOUNTAINVIEW FOR THE PROVISION OF CORNER CURB, SIDEWALK AND RAMP RECONSTRUCTION ON WEST 41ST AVENUE

Levy introduced the agenda item.

Levy gave an update regarding the project. There is a major liability with the corners as they are. Bids were solicited from two contractors with only one reply, Diaz Construction. A contingency of \$4,000 was suggested to add to the current bid. With the reconstruction the Town will be ADA compliant. It doesn't include drafting fees for the engineer. The project would be approximately \$100,000.

Councilmember Boehrer motioned as amended and Councilmember Bailey seconded. All Aye. The motion passed.

DISCUSSION REGARDING MARIJUANA DELIVERY CONTINUED

Levy introduced the agenda item.

King stated the tax will go to the Town when ordering delivery from outside the municipality. If you don't want delivery do nothing and then the Town would opt out.

Levy read Mr. Sapkin's memo into the record.

King stated she would take a poll to see how many municipalities are going to accept delivery. Delivery is for private residential properties only for medical marijuana for 2020.

It was agreed to continue the discussion at the next meeting.

COMMITTEE UPDATES

Levy introduced the agenda item.

Admin Committee—Boehrer stated they will be doing the handbook. Steen noted the handbook should be completed soon.

CDOC- Bailey distributed a flyer they have in the works to advertise the new Facebook.

Finance Committee- Steen noted they did lots of work putting together the 3-yr budget, and looking at options for CSAFE and Colotrust for investing, and the accountant made her recommendation. The Town is financially healthy.

Economic Development Committee- Ellsworth stated the notes are in the packet. Bailey wanted to note it may be difficult to generate revenues as per a conversation she had with a professor regarding service taxes. King stated looking into special assessments that may be helpful for specific projects; it is an option.

Public Works Committee- Ellsworth said they met but after the deadline for the packet and he noted they will be distributing flyers for the street sweeping (November 19-20,) and the roll offs (November 7-17, 2019).

MAYOR'S REPORT/ITEMS

Levy introduced the agenda item.

He stated a special meeting was needed before November 5, 2019, due to council salaries and mayor's salary and must be set before the Election. A special meeting was agreed Wednesday, October 30, 2019, at 6:30 PM.

Communication strategy needs to be developed before new projects begin. It has been a challenge due to unexpected schedule changes.

COUNCIL MEMBERS' REPORTS/ITEMS

Levy introduced the agenda item.

Ellsworth with the Election coming up, in the event it is his last council meeting, thank you.

Boehrer gave a brief update regarding the Fall Festival and it was a successful event.

Chief Davis mentioned the proceeds from the Fashion Show at the Festival were going to be donated to Mountain View Police for domestic violence.

Davis said thank you to all.

MEETING TO ADJOURN

Councilmember Bailey moved to adjourn and Councilmember Boehrer seconded. All Aye. The regular meeting adjourned at 8:28 PM.

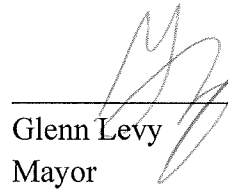
ATTEST:



Sarah A. Albright, CMC
Town Clerk/Treasurer



TOWN OF MOUNTAIN VIEW COUNCIL


Glenn Levy
Mayor