

**THE TOWN OF MOUNTAIN VIEW
TOWN COUNCIL ELECTRONIC MEETING MINUTES
JUNE 15, 2020
6:30 PM**

PRESENT: Mayor Glenn Levy; Councilmembers Chelsea Steen, Mayor Pro-Tem; Kathleen Bailey; Mladenka Boehrer; Sean R. Davis; Adam Ellsworth; Melissa Jacob.

STAFF MEMBERS

PRESENT: Steve Davis, Chief of Police; Gene Bird, Public Works; Dorothy Hernandez, Admin Assistant; Beverly Seidel, Court Clerk; 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 ELECTRONICALLY/ROLL CALL

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

Levy gave a brief recap of the rules for the meeting for everyone to understand. There should be one person speaking at a time. Note the time delay. The Clerk has recommended to place the phone on mute until you speak. And reminded any audience members to announce name and address.

Clerk Albright asked anyone else in attendance to state their name and address for the record.

CONSENT AGENDA

Levy introduced the agenda item.

Summary Account Information & Accounts Payable for May 2020 – Finance Committee Meeting Minutes – April 20, 2020

Councilmember Boehrer motioned and Councilmember Bailey seconded. Roll Call Vote: Bailey – Yes, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

UNSCHEDULED PUBLIC COMMENTS-COMMENTS ARE LIMITED TO 3 MINUTES

Levy introduced the agenda item.

There were no comments.

STAFF UPDATES AND / REPORTS

Public Safety – Chief Davis read a statement into the record. Training is a priority in the department. He agrees with bodycams for the officers. It clears officers far more often. We are ahead of the curve and have been doing that for some time. The interview process gives a good view of how an officer acts under stress. He will not tolerate abuse in the department. He thanked Council for their support. He gave a brief overview of the report.

Public Works – Bird stated the report was in the packet. He spent time looking for funds for the additional work needed in the town. The alley work is not quite done but should be within a day or two. Bailey asked why some cracks were filled and not others. Horizontal cracks were filled and cracks surrounded by other cracks had some fill as well. Levy noted there were a few items identified to fix.

Town Clerk/Treasurer – Albright had nothing to report.

Town Attorney – Levy introduced Mr. Patrick Wilson is a partner at the law firm Evin King works for and has kindly filled in for Evin while she is on leave. He noted he has an easy read of HB-217 and will forward to all to circulate to the council. He will be working on the IGA with Wheat Ridge for the street right-of-way taken care of.

PUBLIC COMMENTS REGARDING CURRENT AGENDA ITEMS – LIMITED TO 3 MINUTES PER SPEAKER

Levy introduced the agenda item.

There were no comments.

DISCUSSION REGARDING CDBG PROGRAM– CLAY BROWN, CENTRAL REGIONAL MANAGER, DOLA

Levy introduced the agenda item.

Clay Brown, Central Regional Manager, DOLA, spoke to entitlement cities and the rest of the state. They serve the portion is for infrastructure type facilities. Get about 3 mil to divide three ways, economic development, division of housing, and they get a third. It is consistent. Apps taken in Feb, once a year. His job is to be successful in filling out an application. They would like to see drawings, look for good pricing, more engineering upfront the better to grant the funds. Max is 600,000 but if you have matching funds it makes for a stronger application. Have to track wages, environmental review, public hearings b4 applying and then after approval. Independent contractors that are retired are available to work through the process. Looks like fall may be likely for funding from federal governments. Contracts can be written for a couple years.

Discussion included: application deadlines in February; awards on website; 300,000-600,000 range; DOLA shows 58% low to moderate income for town; same plan every year; amending for COVID funds and good for several years; using 2020 census data; drainage project; designation for public right of way blighted; they do water and sewer; ADA accessibility; selection process includes staff report and goes to field personnel to score, rank them; goal is to fund as many as possible; no special considerations; he will help with project development, the application process, writes contracts, scope, through entire

process; blighted for purposes of getting money, it's temporary and a strategy to get funds; RG has experience with CDBG programs; RG works with DOLA for many projects; understanding the steps and good record keeping is important; experience with grant loan funds with the state; standard contract used for all; comply with HUD; use portal for all payments; all electronic and fast turnaround; engineering firm is familiar with process; same process as any other construction project; wage determination done for every class of employee working on job; DOLA works with clients throughout process; single audit if over 750,000 federal funds total.

EMERGENCY ORDINANCE NO. 2020-06-15A, AN EMERGENCY ORDINANCE IMPOSING A MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR NEW MEDICAL MARIJUANA BUSINESSES AS SET FORTH IN ARTICLE 6 OF CHAPTER 6 OF THE MOUNTAIN VIEW MUNICIPAL CODE

Levy introduced the agenda item.

Councilmember Boehrer motioned as amended and Councilmember Steen seconded. Roll Call Vote: Bailey – Yes, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

ORDINANCE NO. 2020-06-15B, AN ORDINANCE AMENDING SECTION 6-7-300 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO INACTIVE LICENSES

Levy introduced the agenda item.

Discussion included: three-month limitation; definition of inactive is holding license and not engaging in the recreational marijuana retail trade, thus inactive; not using a license but still have it; intent; current business with license but not selling; potential problems; change language to read recreational retail inactive licenses; Local Licensing Authority (LLA) gives notice by holding hearing and may suspend and/or revoke licenses; consider circumstances; due process; consider loss of revenues.

(Councilmember Bailey left the meeting at this time due to a family emergency.)

Councilmember Steen motioned as amended and Councilmember Ellsworth seconded. Roll Call Vote: Bailey – Absent, Boehrer – No, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

RESOLUTION NO. 2020-06-15A, A RESOLUTION TO NOT RENEW THE INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF JEFFERSON FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS

Levy introduced the agenda item. He stated that if we are a part of the county program, we cannot be part of the state program. He advocates for leaving the Jefferson County CDBG program and didn't see a benefit to being in the county. It has a smaller share of funds.

Councilmember Jacobi motioned and Councilmember Boehrer seconded. Roll Call Vote: Bailey – Absent, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

RESOLUTION NO. 2020-06-15B, A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR THE 41ST AVENUE STORM WATER IMPROVEMENT DISTRICT

Levy introduced the agenda item.

Councilmember Steen motioned and Councilmember Boehrer seconded. Roll Call Vote: Bailey – Absent, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

RESOLUTION NO. 2020-06-15C, A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR THE 2019 SANITARY SEWER IMPROVEMENT DISTRICT

Levy introduced the agenda item.

Councilmember Ellsworth motioned and Councilmember Boehrer seconded. Roll Call Vote: Bailey – Absent, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

BREAK IN SESSION

8:15 PM

BACK IN SESSION

8:25 PM

DISCUSSION RELATING TO ARTIFICIAL GROUND COVER

Levy introduced the agenda item.

Travis Reynolds stated Matt will present the artificial turf memo and he will speak to the ADU later. They are looking for guidance for any changes to the ordinance moving forward.

Matt Nilsen stated they spoke briefly at the last meeting regarding regulating artificial turf. They did research in other communities in Colorado and nationwide. He referred all to the memo that was distributed earlier. The first page outlines quality measures. He gave brief descriptions of the quality measures, noting the front and face weight is more common. He didn't think they needed to get too detailed.

Levy was in favor of face weight and pile height.

Discussion included: permit for artificial turf to indicate weight and height; grandfathered in; permitting processes listed in town; notifications via mail, email and on-line; notify installers of materials; efficiency in notifications; advisory; installing landscaping; new development and specs; council consider enacting a permit process for turf, landscaping, sod, etc.; or use language as advisory; include map and type of material with permit; common to regulate either or materials and location or both; material guidelines; new builds and existing structures to be consistent; makes sense to regulate if

visible location local restrictions; existing front yard and side yard requirements; backyard or side yard and not visible then advisory to owners as not subject to permitting; visible from street then have weight and height suggestions; drainage considerations; consistent regulations; green and natural look; odor concerns and free of debris; and consider the town's right-of-way.

DISCUSSION RELATING TO ADU OWNER OCCUPANCY

Levy introduced the agenda item.

Travis Reynolds gave a brief overview of the memo regarding Owner occupancy of accessory dwelling units. Language included a clause for owner occupancy "shall not be required".

Discussion included: abolish language outright; restrictive language; clerk to approve administratively if no code violations; provide additional options; multi-use; allow builder to build ADU; owner occupancy and deed restriction in code; absentee landlord; remedies for nuisance situation; abatement remedies; vested rights of property owner; concern for potential claims; devaluing property rights; lift restrictions; trash fees or lack of charges for ADU owned property; parking requirements; one parking space per ADU and one per single family.

COMMITTEE UPDATES

Levy introduced the agenda item.

Finance Committee – Davis stated the notes are in the packet. He stated the need for a RFP around design services and IT.

Admin Committee – Ellsworth stated it was a slow month.

CDOC – Notes are in the packet. Jacobi stated they are looking to have a newsletter to release in July. Dissemination to renters may be difficult.

Economic Development – No new updates.

Public Works – Ellsworth stated there was nothing more than what was presented earlier.

Public Safety – Boehrer noted the chief gave an update earlier. Levy stated he doesn't want to do duplicate work. Committees are not to try to do the mayor's job. He urged all members of the committees to report to him directly with their ideas and concerns. Technically, they are at his direction and he hasn't been directing them to do what they are doing.

Sustainability Committee - Steen stated the clean-up is referring to a different clean-up day, as in Earth Day.

COUNCIL MEMBERS' REPORTS/ITEMS

Levy introduced the agenda item.

Boehrer asked to add planning events to the July meeting.

MAYOR'S REPORT/ITEMS

Levy introduced the agenda item.

He stated the office will be open, on a part time basis, to the public from 10AM – 2PM Monday through Thursday, beginning June 22, 2020. He will add vendor permitting to the next agenda. Electronics recycling event would be nice to set up. He is very reluctant to host the picnic as it is not safe for the residents or anyone else. The movie night planning with Steen is still a go.

MEETING TO ADJOURN

Councilmember Ellsworth moved to adjourn and Councilmember Boehrer seconded. Roll Call Vote: Bailey – Absent, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed.

The regular meeting adjourned at 9:30 PM.

TOWN OF MOUNTAIN VIEW COUNCIL

ATTEST:

Sarah A. Albright, CMC
Town Clerk/Treasurer

Glenn Levy
Mayor