

**THE TOWN OF MOUNTAIN VIEW  
TOWN COUNCIL MEETING MINUTES  
MARCH 16, 2020**

**PRESENT:** Mayor Glenn Levy; Councilmembers Chelsea Steen, Mayor Pro Tem; Kathleen Bailey; Mladenka "Mia" Boehrer; Adam Ellsworth;

**ABSENT/EXCUSED**

**MEMBERS:** Sean R. Davis, Councilmember; Melissa Jacobi, Councilmember

**STAFF MEMBERS**

**PRESENT:** Steve Davis, Chief of Police; Sgt. Nesbitt, Police Department; 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 AT THE TOWN HALL, 4176 BENTON STREET/ROLL CALL**

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

Mayor Levy motioned to table all items on the agenda with the exception of the Consent Agenda, Licensing Authority Board, Resolution and Public Comments and Councilmember Steen seconded. All Aye. The motion passed unanimously of all members present.

**CONSENT AGENDA**

Levy introduced the agenda item.

Bailey noted a time was missing from the January 27, 2020, page 3 minutes.

(Attorney King entered the meeting via telephone at this time).

Councilmember Steen motioned as amended and Councilmember Bailey seconded. All Aye. The motion passed unanimously of all members present.

Councilmember Boehrer motioned to move into the Licensing Authority Board and Councilmember Ellsworth seconded. All Aye. The motion passed unanimously of all members present.

**LICENSING AUTHORITY BOARD – TOWN ATTORNEY**

Levy introduced the agenda item.

**Controlling Beneficial Owner – DP Retail 113, LLC dba Green Dragon**

King stated it was pretty straight forward and as long as there were no issues.

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

Councilmember Bailey motioned to move into the regular meeting and Councilmember Ellsworth seconded. All aye. The motion passed.

**UNSCHEDULED PUBLIC COMMENTS**

Levy introduced the agenda item.

There was no public comment.

**RESOLUTION NO. 2020-03-16, A RESOLUTION APPROVING AN ELECTRONIC PARTICIPATION POLICY FOR THE TOWN OF MOUNTAIN VIEW, COLORADO – MAYOR/TOWN ATTORNEY**

Levy introduced the agenda item.

King noted electronic meetings moving forward due to the current situation. Postings would still be the same.

Levy stated he didn't want to speak to the type of electronic meeting venue at this time.

Councilmember Bailey motioned and Councilmember Ellsworth seconded. All Aye. The motion passed unanimously of all members present.

**MEETING TO ADJOURN**

Councilmember Bailey moved to adjourn and Councilmember Ellsworth seconded. All Aye. The regular meeting adjourned at 6:43 PM.

**TOWN OF MOUNTAIN VIEW COUNCIL**

**ATTEST:**

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Sarah A. Albright, CMC  
Town Clerk/Treasurer

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Glenn Levy  
Mayor

**THE TOWN OF MOUNTAIN VIEW  
TOWN COUNCIL ELECTRONIC MEETING MINUTES  
MARCH 26, 2020**

**6:30 PM**

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

**STAFF MEMBERS**

**PRESENT:** Steve Davis, Chief of Police; Gene Bird, Public Works; and Sarah Albright, Town Clerk/Treasurer who recorded the meeting. Minutes are not verbatim.

**MEETING TIME:** 6:30 PM

**LOCATION:** Town Hall

**THE TOWN OF MOUNTAIN VIEW TOWN COUNCIL CALLED THE REGULAR MEETING OF THE TOWN OF MOUNTAIN VIEW TO ORDER AT THE TOWN HALL, 4176 BENTON STREET/ROLL CALL**

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

Levy stated 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 announce your name and address.

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

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

Levy introduced the agenda item.

There were no comments.

**STAFF UPDATES AND/OR REPORTS**

Levy introduced the agenda item. He asked if there were any questions for the staff.

**Public Works** – The report was in the packet.

**Town Attorney** – King noted the laws with the COVID-19 are changing every day.

**Public Safety** – Chief Davis stated there were no confirmed cases in town. The department went door to door within the town and will finish Tuesday. There were 211 residents for services, new database for others to reach out. Sheridan west to Chase is done and did a few on Depew. Toth and Nelson-Dunki resigned March 24, 2020. He will be checking in with everyone at least once a week. By Saturday, he hoped to finish the rest of the town. Positive comments were received.

**PUBLIC COMMENTS REGARDING CURRENT AGENDA ITEMS**

Levy introduced the agenda item.

There were no comments.

**SECOND READING - ORDINANCE NO. 2020-02-24, AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 4 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO TAX PENALTIES AND INTEREST**

Levy introduced the agenda item.

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

**ORDINANCE NO. 2020-03-26A, AN ORDINANCE AMENDING SECTION 6-7-60 OF THE MOUNTAIN VIEW CODE TO LIMIT THE NUMBER OF RETAIL MARIJUANA LICENSES ISSUED BY THE TOWN**

Levy introduced the agenda item.

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

**ORDINANCE NO. 2020-03-26B, AN ORDINANCE AMENDING CHAPTER 16 OF THE MOUNTAIN VIEW MUNICIPAL CODE**

Levy introduced the agenda item.

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

**RESOLUTION NO. 2020-03-26A, A RESOLUTION EXTENDING THE MAYOR'S ORDER DECLARING A LOCAL EMERGENCY IN AND FOR THE TOWN OF MOUNTAIN VIEW, COLORADO**

Levy introduced the agenda item.

King stated the Colorado law allows the Mayor has the right to declare a declaration, right to curb and allow staying at home, temporarily suspend operations, close the town hall, park, along with certain ordinances enforced or not. It was good for only seven (7) days, and council extends it.

Levy stated the Chief was outside a dispensary which was packed inside and out. He told them to speak to the manager to space out, they complied immediately.

Davis said they were inundated with customers. The group was hostile pretty fast, we need to approach differently. Oasis had security and Starbuds were good too. They are doing best they can.

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

**RESOLUTION NO. 2020-03-26B, A RESOLUTION APPROVING AN UPDATED ELECTRONIC PARTICIPATION POLICY FOR THE TOWN OF MOUNTAIN VIEW, COLORADO**

Levy introduced the agenda item.

King noted the state of Colorado law allows the mayor to write the declaration, and allows the right to grant the stay at home order, temporarily suspend operations, close town hall and the park and allow the police to not enforce certain ordinances. It is valid for only (7) days and Council extends it.

Levy stated the Chief was outside a dispensary which was packed inside and out. He told them to speak to the manager to space out, they complied immediately.

Davis said they were inundated with customers. The group was hostile pretty fast, we need to approach differently. Oasis had security and Starbuds were good too. They are doing best they can.

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

**DISCUSSION REGARDING A NUISANCE ORDINANCE**

Levy introduced the agenda item.

Levy gave a bit of background without too much detail regarding tenant issues that continue to happen. The Code has no way to hold landlords responsible for the nuisance behavior in the owners' property. He asked the attorney to research it.

Davis explained a situation they had to address included felony warrants in a particular case, causing concerns for the officers and protecting the neighborhood. He wanted to stay ahead of this.

King stated the best approach was to have hearings after a citation is issued, limited to certain activities. The landlord gets the ticket and goes through the courts. It is a draft policy.

Discussion included: citing renters to be held responsible; does ordinance allow assistance from the police in eviction process; landlord responsibility; potential eviction education; this ordinance will not have that; tenant continually violates law is different topic; landlord compliance; accountability of landlord; notification and communication with landlords; this is a discussion item.

## **COMMITTEE UPDATES**

Levy introduced the agenda item.

Admin – Ellsworth stated they didn't formally meet due to the COVID-19 situation. All the job descriptions are done and it is a matter of formatting. Levy noted the manual has to be reviewed by the mayor along with the appendices and then edit and will send it to Evin for review.

CDOC – Jacobi had an idea for a newsletter, along with a meet your town council members and created a questionnaire for council to complete. Mayor asked that a copy be given to the Clerk who will need a copy for the record.

Economic Development – They had nothing new to add.

Finance – Steen stated the committee would like to get Colotrust monies done. Davis added they were also looking at ways to meet with the Accountant moving forward. The April meeting has been set.

Sustainability – They are working to have an event in April with a flyer to add to billings if possible.

Levy noted that nothing is happening before Easter as far as getting back to business as usual. The public works director has been working on the town clean up dates with the roll offs and these are done annually. He appreciated the Earth Day idea but reminded them to reach out to him before setting up these types of things as the roll offs are done every spring and fall. It makes logical sense to time these events. In the end they are good to go with the Earth Day event.

## **COUNCIL MEMBERS' REPORTS/ITEMS**

Levy introduced the agenda item.

Bailey stated that she was curious and felt a need, desire to make changes to Chapter 16 under use standards ownership.

King stated the planner needs to be included in these types of discussion.

Levy suggested adding the planner on the schedule to discuss the items at a future discussion.

## **MAYOR'S REPORT/ITEMS**

Levy stated he has been very busy drafting policies and procedures to allow staff to work from home. The Town Hall is closed. Staff comes in rarely to pick up work to take home. Staff is tracking their time per pay period to submit to their supervisors who in turn submit to the mayor. He granted up to 80 hours supplemental time for the admin staff. The federal laws have changed since that happened at least twice. He is reviewing to see what applies to each department. There is be responsibility to pay staff, a federal requirement, on top of the 80 hours.

King said there will be plenty of leave for staff on top of the 80 hours that was already granted for staff.

Levy noted the medical marijuana moratorium was to be on the agenda but with things changing constantly, he thought it was better to put that off until a later time. The dispensaries are critical businesses per the Governor. It made sense to take it off now. Emergency advisories have been changing day by day and he has been putting them out there often. He trusts the Governor and his decisions. He will follow the Governor's lead. The frustration is with the enforceability of the orders. We need to take the educational stance and continue to communicate to the community. His stance is to stay at home.

Davis said they could cite them if there are parties but a warning would go a long way. If they don't know by now, they are not going to listen.

King agreed with the Chief the 10-person rule could be enforced.

Davis noted an executive order was issued by the Governor. It is the law of the state of Colorado.

Social events are concerning going forward. The Town should not be sponsoring in-person events. At this time, the answer has to be no to events. His event has been postponed indefinitely. A couple members of the community have stepped up to help in the community to help deliver groceries and that exemplifies what is great about this town. They are doing things as private citizens. Abby and Lee will put out flyers and good for them.

King stated it is not worth the risk for staff.

### **MEETING TO ADJOURN**

Councilmember Boehrer moved to adjourn and Councilmember Bailey seconded. Roll Call Vote: Bailey – Yes, Boehrer – Yes, Davis - Yes, Ellsworth - Yes, Jacobi - Yes, Steen - Yes. The motion passed. The regular meeting adjourned at 7:50 PM.

### **TOWN OF MOUNTAIN VIEW COUNCIL**

#### **ATTEST:**

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Sarah A. Albright, CMC  
Town Clerk/Treasurer

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Glenn Levy  
Mayor