

**THE TOWN OF MOUNTAIN VIEW
TOWN COUNCIL VIRTUAL MEETING MINUTES
SEPTEMBER 21, 2020**

PRESENT: Mayor Glenn Levy; Councilmembers Chelsea Steen, Mayor Pro Tem; Mladenka “Mia” Boehrer; Sean R. Davis; Adam Ellsworth; Melissa Jacobi.

EXCUSED

ABSENCES: Councilmember Kathleen Bailey.

STAFF MEMBERS

PRESENT: Steve Davis, Chief of Police; Sgt. Hough, Police Dept.; Sgt. Nesbitt, Police Dept.; Gene Bird, Public Works; Dorothy Hernandez, Admin Assistant; and Sarah Albright, Town Clerk/Treasurer who recorded the meeting. Minutes are not verbatim.

MEETING TIME: 6:34 PM

LOCATION: Virtual Meeting

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

Mayor Levy called the meeting to order and roll call was 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 he reminded audience members to identify themselves giving their name and address.

CONSENT AGENDA

Levy introduced the agenda item. The Consent Agenda consisted of the Summary Account Information and Accounts Payable for August 2020.

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

UNSCHEDULED PUBLIC COMMENTS

Levy introduced the agenda item.

No public comment.

STAFF UPDATES AND / REPORTS

Levy introduced the agenda item.

Public Safety – Chief Davis stated the sergeants were in attendance. Chief Mackey from Edgewater was also in attendance. Sgt. Hough mentioned items from the status report that disturbances and welfare checks were up. Sgt. Nesbitt noted a hit/run involved an officer and he was okay. The Co-responder program didn't require a police officer to handle the mental health calls where there are no legal issues. Homeless population is a good example. Partnered with Lakeside and Edgewater PD. They will have a certified crisis trained person to handle those calls. Chief Mackey has found a grant through DOLA, and if awarded, will run the program through Edgewater. There will be someone who can respond. We have needed it for a long time. The position will be a 40 hours/week position. Depending upon the grant allocation, the total grant would cover all three agencies. It is a needed and he will look for funding if DOLA does not come through. Chief Mackey wanted to assure them they have been successful with the grants and sharing in our communities. He feels positive and the city of Edgewater is in support of the proposal, whether there is grant monies available or not. There may be changes moving forward. They look forward to the collaboration with Mountain View. Levy asked about the chances for getting more than one year of grant money. Mackey stated they have a vast amount of collaboration. Grant boards look favorable as they haven't seen these types of requests. Davis said they can't forecast it and if the money is there, they will repeat it. Sgt. Hough stated they have dealt with these calls and it would help the town and the department. It is a valuable service. Nesbitt agreed with Hough, and with that, there is only so much they can do and it would be a great resource for the department and town.

Public Works – Gene Bird stated his report was in the packet.

Town Attorney – Evin King has returned from her leave. Her update is the material in the packet.

Town Clerk/Treasurer – Albright noted regarding the website, Kayty is meeting with the vendor to review a few items.

PUBLIC COMMENTS REGARDING CURRENT AGENDA ITEMS

Levy introduced the agenda item.

No public comment.

ORDINANCE NO. 2020-08-17B, AN ORDINANCE ADDING PROVISIONS TO ARTICLES 4 AND 5 OF CHAPTER 16 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO SHIPPING CONTAINERS

Levy introduced the agenda item.

Matthew Nilsen gave a brief overview of the ordinance. The only edit was removing the word roof.

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

ORDINANCE NO. 2020-09-21A, AN ORDINANCE AMENDING VARIOUS PROVISIONS OF ARTICLE 6.5 OF CHAPTER 16 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO PLANNED DEVELOPMENT (PD) ZONE DISTRICT

Levy introduced the agenda item.

Travis Reynold gave a brief overview as the PD had not been discussed in some time. The first part was to address the PD process which was cumbersome. The ordinance addresses two main items, one being the process by which a planned development is administered and acted upon by the Council, and, the option for applicants to provide cash or other community amenities in-lieu of the required open space dedications currently outlined by the code. The tables in Article 6.5 are still on the books for land dedication. Included is the definition in the ordinance, land dedication percentages, very simple formula under proposed development

Levy asked about the appraised value.

Reynolds said his experience is limited but they usually are wrapped up into the appraisal.

Discussion included: add town before residents intended primarily for the enjoyment of town residents; common open space may be used to contribute to open space; need clean definitions to reflect that it is common open space, meant for resident's use and not town mandated to keep maintained.

Reynolds stated they will clean up the definitions and memorialize it with a development agreement to be specific to what the developer would be responsible for.

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

ORDINANCE NO. 2020-09-21C, AN ORDINANCE MODIFYING CHAPTER 6 OF THE MOUNTAIN VIEW MUNICIPAL CODE WITH THE ADDITION OF A NEW ARTICLE 8 ENTITLED “MOBILE FOOD TRUCKS AND PUSH CARTS”

Levy introduced the agenda item.

King noted they will need to complete a business license in the town. Permit would be yearly, applying yearly, and determine the parking of the truck, and so on. The business license is renewed each year. Options are to pro-rate, the fee costs for the permit app fee of \$75 and business license fee of \$125.00.

Discussion included: application fees; licensing fee; prorating fees; business licenses; restrictions should be reviewed; food truck has liability; special events; amplified music; exempt ice cream trucks, change hours from 4 to 5; operation hours; operate in right-of-way for town sponsored events;

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

RESOLUTION NO. 2020-09-21, A RESOLUTION AUTHORIZING THE TOWN TO INVEST GENERAL FUND ASSETS IN COLOTRUST PLUS+--MAYOR/FINANCE COMMITTEE

Levy introduced the agenda item.

Discussion included: look for more interest; risk profile is low;

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

BREAK IN SESSION 10 MINUTES

8:05 PM

BACK IN SESSION

8:15 PM

COMMITTEE UPDATES

Levy introduced the agenda item.

CDOC – Jacobi noted the newsletter went out and Bailey worked on social media. Levy asked them to give more time to get copies done and verifying addresses for future newsletter mailings.

Economic Development – Davis noted the notes were in the packet. Levy asked for a copy of the Wheat Ridge's Envision Comprehensive Plan and asked to get a meeting set up with Jeffco.

Finance Committee – Steen noted the notes were in the packet.

Public Safety – Boehrer noted the notes were in the packet. Levy comments we do not need a verbatim record of everything discussed in the committee meetings. Notes are public notes and while we encourage residents to understand town business, it is not that helpful to put these potential items and then residents get upset about the money it could cost. Another issue is the content in the public safety meeting which made it sound like the member was trying to perform the duties of the administrator, talking to chief in detail of programs. Councilmembers do not give staff direction unless voted by the majority of council. It is the Mayor's job. That goes for sustainability who had tried to direct the Public Works Director, that is not their function. All needs to go directly to the Mayor. The speed trailer was a good example, as it had already been worked out, and we do not need to be duplicative. Any item over \$5,000 will go to Council automatically.

Sustainability Committee – Jacobi said she was sad that Chelsea resigned from the committee and the notes are in the packet. Levy stated he was aware that an expanded description for the committees, there is no formal document other than what was provided originally. There are things that directly addressed him and he wanted to address. He wished to get notified about the activities because they operate under the direction of the mayor. All direction for staff needs to go through the mayor and via email is suffice. The notes are not a forum to complain but to give status reports. Ellsworth mentioned enforcing

littering ordinances on private property as in the code the residents are responsible. Is it in the code about private property? King stated there is something in the code and so the town would have to enforce it. Levy noted it is a code enforcement issue and he will discuss that with Gene when they find time.

Bird commented that lids get blown away, and how do you force someone to purchase a lid?

King said you would need an enforcement officer out every trash day.

Littering enforcement seems easier to enforce than the trash can lids and knowing that is helpful.

MAYOR'S REPORT/ITEMS

Levy introduced the agenda item.

The ordinance for the 5G is not ready and thus it was pulled. Ken did the review within the time allocated. He is planning having Ken re-writing the ordinance to incorporate the updated laws. We will get the subject matter expert to write it.

King expressed she agreed to have the expert to do the ordinance.

He has approved concrete work for the handicap ramp at the PD back door. Street concrete 43rd and Chase will be getting done. Each is less than \$5,000. Caselle training for court module is in process.

COUNCIL MEMBERS' REPORTS/ITEMS

Levy introduced the agenda item.

No reports or items.

MEETING ADJOURNED

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

The regular meeting adjourned at 8:52 PM.

TOWN OF MOUNTAIN VIEW COUNCIL

ATTEST:

Sarah A. Albright, CMC
Town Clerk/Treasurer

Glenn Levy
Mayor