

**THE TOWN OF MOUNTAIN VIEW  
TOWN COUNCIL MEETING AGENDA**

**August 12, 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) LICENSING AUTHORITY BOARD**

**6:30 PM**

**Change of Ownership – Eagle River Investments, LLC and Starbuds**

- 3) CONSENT AGENDA**

**6:45 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 July 2019 – Finance Committee**

**b. Meeting Minutes – April 8, 2019**

- 4) 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.

**6:50 PM**

- 5) STAFF UPDATES AND/OR REPORTS**

**7:00 PM**

**Police – Public Works (report in packet) – Town Attorney**

- 6) PUBLIC COMMENT ON CURRENT AGENDA ITEMS – LIMITED TO 3 MINUTES PER SPEAKER**

**7:15 PM**

- 7) SECOND READING - ORDINANCE NO. 2019-07-08, AN ORDINANCE AMENDING CHAPTER 16 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO DEVELOPMENT STANDARDS – COUNCIL DISCUSSION/VOTE**

**7:30 PM**











**BREAK IN SESSION (10 MINUTES)**

- 8) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2019-08-12A, A RESOLUTION AMENDING THE RECORDS POLICY TO INCREASE RESEARCH AND RETRIEVAL FEES IN ACCORDANCE WITH C.R.S. § 24-72-205(6)(b) – TOWN ATTORNEY**

**8:00 PM**

- 9) **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2019-08-12B, A RESOLUTION APPROVING AND ADOPTING THE TOWN OF MOUNTAIN VIEW'S POLICY REGARDING MAILING LETTER NOTIFICATIONS OF PUBLIC HEARINGS FOR NEW ALCOHOL OR MARIJUANA LICENSES – MAYOR/TOWN ATTORNEY**  
**8:05 PM**
- 10) **DISCUSSION OF A RESOLUTION TO SUBMIT VARIOUS BALLOT QUESTIONS TO THE REGISTERED ELECTORS OF THE TOWN OF MOUNTAIN VIEW AT THE NOVEMBER 5, 2019, REGULAR ELECTION TO BE COORDINATED WITH JEFFERSON COUNTY – MAYOR/ATTORNEY**  
**8:10 PM**
- 11) **COMMITTEE UPDATES**  
**8:20 PM**  
**Admin Committee (report in packet) – Finance Committee (report in packet) - Economic Development Committee – Public Works (see Public Works Staff Report) - CDOC - Public Safety**
- 12) **MAYOR'S REPORT/ITEMS**  
**8:35 PM**
- 13) **COUNCIL MEMBERS' REPORTS/ITEMS**  
**8:45 PM**  
**Mayor Pro-Tem Steen August Report**
- 14) **MEETING TO ADJOURN**  
**8:55 PM**

**TOWN OF MOUNTAIN VIEW**  
**TOWN COUNCIL SPECIAL SESSION**  
**AUGUST 12, 2019**  
**SIGN IN SHEET**

Print Name	Signature	Email Address
Kathryn Perez		kperer@tomv.org
Mary Ellen		4195 Eastern st
John Williams		" "
Tyler Sapier		twosilveremail.com
Karen Warden		kwarden@aol.com
Fadi Warden		Fadi@starbuds.us
Naser Is Jodeh		TJA Starbuds. US
hisa Mawad		
Barb Funn		Barb@AAINTERSTATE.COM
Brent Metz		brentmetz@gmail.com

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**THE TOWN OF MOUNTAIN VIEW  
TOWN COUNCIL MEETING MINUTES  
AUGUST 12, 2019  
6:32 PM**

**PRESENT:** Mayor Glenn Levy; Councilmembers: Kathleen Bailey; Mladenka "Mia" Boehrer; Sean Davis; Adam Ellsworth; Adam Hillig; and Chelsea Steen

**STAFF MEMBERS**

**PRESENT:** Gene Bird, Public Works Director; Kaytlyn Perez, Admin Assistant; and Sarah Albright, Town Clerk/Treasurer who recorded the meeting. Minutes are not verbatim.

**MEETING TIME:** 6:32 PM

**LOCATION:** Town Hall

**THE TOWN OF MOUNTAIN VIEW TOWN COUNCIL CALLED THE 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.

Councilmember Davis motioned to exit the regular meeting and enter the Licensing Authority Board and Councilmember Hillig seconded. All Aye. The motion passed.

**LICENSING AUTHORITY BOARD**

Levy introduced Tyler Sapkin, Eagle River Investments, LLC who has submitted the Change of Ownership application.

Attorney King stated the applicant is adding new officers. They have submitted appropriate paperwork to add

Bailey asked Tyler Sapkin if he was still going to be involved with the business.

Mr. Sapkin noted he was staying on and bringing on strategic partners.

Levy noted in the Commercial Lease which needed to be updated, it is not Denver county but Jefferson.

TJ Juddah stated Starbuds has been around for about seven years, and in all parts of the state. They currently operate twelve locations and Mountain View will be the thirteenth. Tyler's model fit Starbuds as they are smaller stores, very boutique. The focus is on customer service and highly rated.

Sapkin stated they fit the bill and felt Starbuds has done well in the communities they are a part of. He hoped to open in the next 45 days. They will have a Grand Opening and invited the officials, with a ribbon cutting with the Mayor.

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

Councilmember Bailey motioned to exit the Licensing Authority Board and enter the regular meeting and Councilmember Boehrer seconded. All Aye. The motion passed.

#### **CONSENT AGENDA**

Levy introduced the agenda item.

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

#### **UNSCHEDULED PUBLIC COMMENTS**

Levy introduced the agenda item.

There were no comments.

#### **STAFF UPDATES AND/OR REPORTS**

Levy introduced the agenda item.

**Police** – Sgt. Hough gave a report in the Chief's absence.

**Public Works** – Gene Bird noted the report was in the packet.

**Town Attorney** – King noted she will be working on the Election items and the CORA request. She will be reviewing the social media policy and had concerns with the First Amendment rights and will look at the comment sections to avoid potential liability, with a draft for the September regular meeting.

#### **PUBLIC COMMENT ON CURRENT AGENDA ITEMS**

Levy introduced the agenda item. He expressed his thanks to all those that attended the workshops and public hearing for the design standards. There was quite a bit of feedback and some of that was incorporated into the second reading

Steen stated based on the workshop there were a few things that required more study and conversation around things such as impact fees for construction, outdoor seating with commercial properties in terms of noise levels, commercial bike racks, tiny homes and allowing sales on sidewalks. Other items discussed that council has been addressing included the portion around the fifty percent of a structure destroyed, definition of mobile homes, turf allowances, limiting tree species, and wording around zoning administrator.

Lisa Maurath expressed her thanks to Mayor Pro-Tem Steen and SAFEBuilt for the workshop. They provided excellent feedback to those residents that were in attendance.

**ORDINANCE NO. 2019-07-08, AN ORDINANCE AMENDING CHAPTER 16 OF THE MOUNTAIN VIEW MUNICIPAL CODE RELATING TO DEVELOPMENT STANDARDS**

Levy introduced the agenda item. He noted that Steen and himself went through the amendments and narrowed them down to seven. He addressed the ordinance process. In an earlier meeting it was brought up about the planning and zoning commission which he notes is in the charter, the town council shall serve as the planning and zoning commission, which has been in place for over 20 years.

Discussion included: Amendment 1 to include porches, patios, and decks in the language, mostly uncovered porches, addressing privacy limitations; definitions for language being added; Amendment 2, include fifty percent re-building restoration language; non-conforming demolition in six months and construction 18 months; Amendment 3 adds definition of legal non-conforming structure; Amendment 4 increase bulk plane side interior vertical height to 17 feet; Amendment 5 tree species list was tabled for separate ordinance; Amendment 6 tree placement and tree lawn; new construction in tree lawn or in lawn; artificial turf in side interior yards.

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

**BREAK IN SESSION**

**7:43 PM**

**BACK IN SESSION**

**7:57 PM**

**RESOLUTION NO. 2019-08-12A, A RESOLUTION AMENDING THE RECORDS POLICY TO INCREASE RESEARCH AND RETRIEVAL FEES IN ACCORDANCE WITH C.R.S. § 24-72-205(6)(b)**

Levy introduced the agenda item.

King briefed all regarding records requests are increased every five years. It is not much but will be helpful when larger requests are received.

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

**RESOLUTION NO. 2019-08-12B, A RESOLUTION APPROVING AND ADOPTING THE TOWN OF MOUNTAIN VIEW'S POLICY REGARDING MAILING LETTER NOTIFICATIONS OF PUBLIC HEARINGS FOR NEW ALCOHOL OR MARIJUANA LICENSES**

Levy introduced the agenda item. He thought it was a good idea to create a policy. It sets a guideline.

King stated alcohol and marijuana are state law. We don't want to change the ordinance. It gives the Clerk permission to send out notifications. It is not a legal requirement. It is having the Town make the best effort to notify it's residents.

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

**DISCUSSION OF A RESOLUTION TO SUBMIT VARIOUS BALLOT QUESTIONS TO THE REGISTERED ELECTORS OF THE TOWN OF MOUNTAIN VIEW AT THE NOVEMBER 5, 2019, REGULAR ELECTION TO BE COORDINATED WITH JEFFERSON COUNTY**

Levy introduced the agenda item.

King stated that it is not being voted on tonight as they have until August 26, 2019, to submit candidate nominations. There will need to be a special meeting to approve it. She requested the ballot language perfected. This is the time to finalize the language.

Discussion included the ballot questions regarding a short-term rental tax rate and revenue, compensation of the Mayor, and to set term limits no more than three or four-year terms of office.

**COMMITTEE UPDATES**

Levy introduced the agenda item.

**Admin Committee** (report in packet).

**Finance Committee** (report in packet).

**Economic Development Committee** - No meeting was held.

**Public Works** (see Public Works Staff Report).

**CDOC** – Bailey noted she has been working on the Facebook page and posting items to the website for the Clerk. They have not had a meeting. She and Davis will be working on the page.

**Public Safety** – No meeting was held.

**MAYOR'S REPORT/ITEMS**

Levy introduced the agenda item.

The Special Meeting was set for August 29, 2019, at 6:30 PM to address the ballot language and begin the process regarding the budget. They requested the department heads attend.

He confirmed the final items for the Community Picnic.

**COUNCIL MEMBERS' REPORTS/ITEMS**

Levy introduced the agenda item.

Steen referred to her report and asked them to put in their calendars, Friday, September 27, 2019, for the Movie in the Park. The movie that will be shown is Dumbo at 6:30-10PM. Bring your own picnic dinner and there will be a popcorn machine furnished.

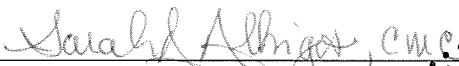
Councilmember Hilling tendered his resignation as a councilmember effective November 6, 2019. He will submit his resignation via email to the Clerk.

**MEETING TO ADJOURN**

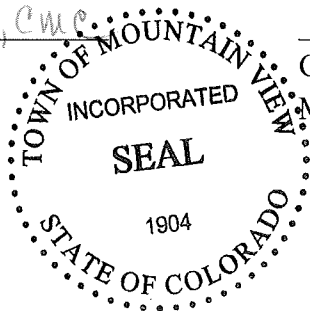
Councilmember Bailey moved and Councilmember Boehrer seconded. All Aye. The regular meeting adjourned at 8:43 PM.


**TOWN OF MOUNTAIN VIEW COUNCIL**

**ATTEST:**



Sarah A. Albright, CMC  
Town Clerk/Treasurer



  
Glenn Levy  
Mayor