










**THE TOWN OF MOUNTAIN VIEW
TOWN COUNCIL SPECIAL SESSION MEETING
AUGUST 5, 2019
6:30 PM**

- 1) CALL THE WORKSHOP “STUDY SESSION” 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)
6:30 PM**
- 2) PUBLIC COMMENT REGARDING CURRENT AGENDA ITEMS - LIMITED TO 3
MINUTES PER SPEAKER
PM
6:30 PM**
- 3) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2019-08-05A, A
RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR A
COORDINATED ELECTION WITH JEFFERSON COUNTY–TOWN ATTORNEY
6:40 PM**
- 4) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2019-08-05B, A
RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR TABOR
BALLOT ISSUE NOTICES WITH JEFFERSON COUNTY–TOWN ATTORNEY
6:50 PM**
- 5) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2019-08-05C, A
RESOLUTION SUBMITTING 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–TOWN
ATTORNEY/MAYOR/COUNCILMEMBER STEEN
7:00 PM**
- 6) MAYOR AND COUNCIL COMMENTS, INCLUDING DISCUSSION OF UPCOMING
AGENDA ITEMS AND OTHER TOPICS OF IMPORTANCE TO THE TOWN
7:45 PM**
- 7) SPECIAL SESSION MEETING TO ADJOURN
8:00 PM**

TOWN OF MOUNTAIN VIEW
TOWN COUNCIL SPECIAL SESSION
AUGUST 5, 2019
SIGN IN SHEET

Print Name	Signature	Email Address
Brandy Martin		brandy@fedgyrsoftfitness.com
Sven Martin		Sven's feed your soul fitness.com
Auren Golden		untroopcup@gmail.com
Jessica Wolfe		jwofe@sniffshack.com
Jennifer Wolfe		jen.wofe@sniffshack.com
Patricia Lilliston		Plilliston@aol.com
SENECA PENTON		Seneca@aol.com
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Denise Barnes		denise@barnes.com

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**THE TOWN OF MOUNTAIN VIEW
TOWN COUNCIL SPECIAL SESSION MEETING MINUTES
AUGUST 5, 2019**

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

STAFF MEMBERS

PRESENT: Sarah Albright, Town Clerk/Treasurer who recorded the meeting. Minutes are not verbatim.

MEETING TIME: 6:35 PM

LOCATION: Town Hall

THE TOWN OF MOUNTAIN VIEW TOWN COUNCIL CALLED THE SPECIAL SESSION 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.

RESOLUTION 2019-08-05A, A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR A COORDINATED ELECTION WITH JEFFERSON COUNTY

Levy introduced the agenda item.

Attorney King stated this is the first step of the election process, the reason for having the IGA for a coordinated election with the county. It is a must to have the election.

Councilmember Bailey entered the meeting at this time (6:37 PM)

Councilmember Steen was concerned about the cost of the election.

Clerk Albright stated the costs were significantly cheaper to do a coordinated election, no more than \$2,000.

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

RESOLUTION 2019-08-05B, A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR TABOR BALLOT ISSUE NOTICES WITH JEFFERSON COUNTY

Levy introduced the agenda item.

King explained there are a couple more requirements for TABOR notice notifications. It is less costly for the Town to coordinate with Jefferson County.

Councilmember Davis motioned and Councilmember Hillig seconded. All Aye. The motion passed.

PUBLIC COMMENT REGARDING CURRENT AGENDA ITEMS PER SPEAKER

Levy introduced the agenda item.

Levy spoke to the specific items and the charter election items. He will defer to the Mayor Pro-Tem for that. He wanted to speak to the service tax issue. This is a fundamental matter of diversifying the sales tax in Mountain View. We have services like any municipality which we need to provide, and the revenue sources are not as great as they should be. He took many suggestions from a previous meeting with the Sniff Shack to heart. This is a matter for the voters to decide. It is up to the residents to determine if this is something they want. It will affect dog boarding and pet care, and exercise gyms and facilities, and short-term rentals. We have several medical offices which are exempt from sales tax.

Sven Martin, Feed Your Soul Fitness, read a statement into the record. A tax will force us to move and put us in an unfair advantage. The clientele is about 1,000 and leaving a 3,000 square foot facility.

Brandy Martin, Feed Your Soul Fitness, wanted to know where the funds for the tax would directly be going.

Levy stated as a small town with huge maintenance liabilities, such as curbs and gutters, and streets, and the infrastructure. This is an incremental process. We have secured a loan to fix the worst issues in the sewer system. The next would be the hazardous curbs on 41st Avenue.

S. Martin noted the town is the only one who would be charging this type of tax.

Levy stated it may be the town now but it is coming with other municipalities.

King stated the first step is to address issues now and then it is in a resolution, then a TABOR notice and put it to the voters.

Levy stated the process takes time. It is not practical to put everything on the ballot at one time. There are logistical issues to prepare for a ballot.

Jessica Wolfe, The Sniff Shack, shared pictures of their business so get a sense of their investment. They bought the building and have invested over 1.6 million in the business. They are one of the very large businesses in Mountain View. They have 80-100 dogs not otherwise here. She thought that some of the other businesses were benefiting from their clientele. It's a price sensitive business. Seems misguided and are concerned the tax will put small service businesses out of business. There are only a handful that

have a service offering, in particular, Firestone. She understood the need but to target the smaller businesses. They would hate to move but would if they had to. There are other ways, other types of assessments.

Martin stated they would have to move as a business decision, not a threat.

Jennifer Wolfe, The Sniff Shack, has concerns about tax base, specifically Firestone. She felt they were targeted and how hard to get their revenues.

Levy said that smaller businesses are not being singled out. The larger businesses are paying a share of the police services and infrastructure. The tax revenue doesn't support it.

Wolfe wanted to stress to the members they pay, they have 25 employees, and pay unemployment taxes. She asked if the police force is called to assist in the surrounding areas and why not look at that as a potential revenue.

Levy noted police departments don't charge other departments. This is a 12 square block town.

Wolfe stated she understood the need to diversify. She asked how long has Firestone been here.

King explained this is the first process, the council will vote on the TABOR notices next week. There will be time to submit comments. The citizens vote on the issues on the ballot and the council votes on what needs to go on the ballot.

Seneca Pelton stated he has a small business in Arvada and he would have to close his doors if he had a service tax on his business. He uses Feed Your Soul Fitness services and he refers patients there. As a citizen here, he would hate to see them go.

Levy stated he believed in the wisdom of the residents, he trusted them to make a wise choice. He acknowledged they have not had the opportunity to speak to all businesses and it was on their agenda to meet.

King noted it is a lodging tax that will go to the town.

Steen noted that is customary for short term rentals. It is not the town placing a tax.

RESOLUTION 2019-08-05C, A RESOLUTION SUBMITTING 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 this is a draft of what they were looking at. They can define with an ordinance later, specific enough so the voters know what they are voting for. She said the service tax it will ramp up to 2% first year, 2nd year 3% and 3rd year 4%.

Councilmember Hillig stated he felt it was unfair to tax only a few businesses and should be all businesses, void of what their sales tax provides.

King said under Tabor you have to be very specific. We can do that but not at this election.

Steen stated because we have to take all revenues and research, and legal work.

King noted that was not possible, from a legal standpoint and an accountant standpoint.

Councilmember Davis stated coming from mountain communities, he is used to various use taxes, different rates, earmarked, and didn't see it as abnormal. Most cities won't because of their base and size.

Bailey stated all services should be on a ballot and it is a good place to start. They do take advantage of the roads and sewer and not paying taxes towards it. We need to start somewhere. Maybe it would be fair to table this until next year. The current businesses are taking advantage of the services in the town.

Ellsworth stated he liked the idea of deferring it to get more information. It is a hard decision to make to know more of the types of taxes, how it impacts businesses, and he understands we need to raise revenues.

Levy asked Martin what level of taxation would be doable?

Martin stated the states have service taxes and should be standard. He has 25 employees and taken 5 years to get here. If they were fair service taxes, they cannot handle a 4% tax. It doesn't make sense financially and would be a huge cost to them.

Bailey stated we could wait on the other services and begin with the AIRBNB taxes. That is one alternative. We can take the time to assess the taxes until the next election.

King stated there is no legal claim to discrimination.

Wolfe stated she wanted to speak for the Sniff Shack. She said the bulk of service is driven by residents of other municipalities, you will be collecting taxes paid for by Denver or Wheat Ridge. We could get on board with a yearly assessment and talk about projects they would be willing to participate in, whatever, we can find a way to come up with \$10-\$15,000 a year to help.

Steen stated one of her concerns was that the revenue number varies greatly. She noted because they are not voting on accurate numbers, it is hard to see what the impact would be. She is hearing this now and it would make more sense to work with the business owners with transparency.

Levy stated there is no legal requirement for them to do that. Secondly, this is not just Sniff Shack though they are saying that but it's not true. The way it is written now it would include Rover and other small places and you would need to get estimates from them to get an accurate number. Something you can also consider, if you don't want to charge all dog services, it can be certain kinds of services. Like dog walking for instance. The tax is probably going to Denver. The way it is written it would capture what may be going to Denver and should be coming to the town.

King stated regarding the process to educate the public, FCPA states you cannot expend public money to support the measure of supporting or denying. You can talk on private time only. You cannot use this as a platform whatsoever and cannot expend town funds to talk. She will be preparing a memo to everyone.

Hillig stated he is on board to capture what service tax is going out of our municipality and do a bit more homework to make it fair, to capture all services and estimate that. The businesses need to be able to prepare and assess to see what is affordable for themselves. We can give them an opportunity to prepare themselves for what is coming.

King stated they were talking about several ballot items and that will take time. They will need to get a committee together to begin work on those issues. The voters may not pass every ballot issue.

Davis stated he wanted the exact definition of what service and how it is enforced, and what is the opportunity for the business to argue their point.

King said it would make sense to have more time. Some municipalities have an ordinance to define and it would be in the code. Another good reason to wait.

Discussion regarding the ballot questions included: terms of office for Mayor; concern for qualified candidates for the position; language aligned with councilmembers for ballot form; residents vote; elections; and length of terms.

Ballot Question No.1 discussion included raising the short-term tax to ten (10) percent to match Denver and table the rest. Everyone agreed to have it the same as Denver.

Ballot Question No.3 discussion included consideration of terms, specific definition of a term, and considering the qualifications to find someone to run for the office; consensus was no more than three four-year terms.

Ballot Question No. 2 discussion included compensation for the Mayor, increase in pay, term limits and salary work together.

MAYOR AND COUNCIL COMMENTS, INCLUDING DISCUSSION OF UPCOMING AGENDA ITEMS AND OTHER TOPICS OF IMPORTANCE TO THE TOWN

Levy introduced the agenda item.

Picnic is less than 2 weeks away and need additional help the day of the event. Davis and Ellsworth will not be here the day of the picnic.

Hillig will be here for the event.

Set to discuss development standards ordinance Monday. There will be a series of amendments to address.


Steen briefed them about the workshop she was at with SAFEBuilt. There were 25-30 residents and specific items for the future but don't need to be a part of the framework will be brought to attention at a later time.

We are here to represent the majority of the residents. Keep that in mind when thinking about the proposals.

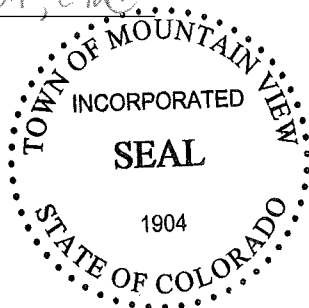
MEETING TO ADJOURN

Councilmember Hillig moved to adjourn and Councilmember Boehrer seconded. All Aye. The Special Session meeting adjourned at 8:12 PM.


ATTEST:



Sarah A. Albright, CMC
Town Clerk/Treasurer



TOWN OF MOUNTAIN VIEW COUNCIL



Glenn Levy
Mayor