

***City Council
Emergency Meeting
Minutes***

**March 16, 2020
City Hall, Council Chambers
749 Main Street
7:00 PM**

Call to Order – Mayor Stolzmann called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

City Council: ***Mayor Ashley Stolzmann
Mayor Pro Tem Dennis Maloney
Councilmember Kyle Brown
Councilmember J. Caleb Dickinson
Councilmember Deborah Fahey
Councilmember Jeff Lipton***

Absent: ***Councilmember Chris Leh***

Staff Present: ***Heather Balser, City Manager
Meredyth Muth, City Clerk***

Others Present: ***Kathleen Kelly, City Attorney***

APPROVAL OF AGENDA

Mayor Stolzmann called for changes to the agenda and hearing none she moved to approve the agenda; seconded by Councilmember Dickinson. All in favor.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA AND THE CONSENT
AGENDA**

None.

REGULAR BUSINESS

City Manager Balser gave an update on the City's responses to COVID-19 noting all City facilities have been closed to the public as of today. She stated the governor has limited

all gatherings of over 50 people and closed bars, gyms, and theaters as well. She encouraged people to check the City's web site for current information.

Mayor Stolzmann added the President today asked people to limit any gathering of more than 10 people.

RESOLUTION NO. 27, SERIES 2020 – A RESOLUTION PROVIDING FOR THE CONTINUATION OF A DECLARATION OF LOCAL DISASTER EMERGENCY IN AND FOR THE CITY OF LOUISVILLE

Mayor Stolzmann introduced the item noting she signed the emergency into effect over the weekend and for it to continue the Council needs to approve this resolution.

City Manager Balser noted that if approved this resolution would remain in effect until Council revokes it by resolution. This will allow us the City to be eligible for state and federal reimbursement in the future and to make sure the City has the necessary powers to address this emergency.

Mayor Pro Tem Maloney moved to approve Resolution No. 27, Series 2020; Councilmember Lipton seconded the motion.

Voice vote: all in favor.

RESOLUTION NO. 26, SERIES 2020 – A RESOLUTION AMENDING THE CITY COUNCIL RULES OF PROCEDURE TO PROVIDE FOR ELECTRONIC MEETING PARTICIPATION

Mayor Stolzmann introduced the resolution noting the proposed changes allow the Council to meet electronically in certain emergency circumstances.

Attorney Kelly noted this proposal allows electronic meetings for emergencies; the changes include a definition of an electronic meeting and basic rules. She added that Councilmember Leh provided some suggested changes which are available to the Council on the dais. Staff also has one suggested change from what was originally approved to clarify.

Mayor Stolzmann noted these changes for electronic meetings are only for emergency situations, not for regular meetings.

Mayor Pro Tem Maloney suggested the initial language is sufficient for this evening's needs and that Councilmember Leh's changes could be considered at a later time. He added that having this option only for emergency situations is important; electronic meetings shouldn't be a regular occurrence.

Mayor Pro Tem Maloney moved to approve Resolution No. 26 as originally written with the one staff suggestion; Councilmember Lipton seconded the motion.

Councilmember Dickinson stated that this rule notes quasi-judicial items would not be handled by electronic meeting and asked how quasi-judicial matters could be handled if the emergency goes on for an extended time.

Mayor Stolzmann stated she thinks having quasi-judicial hearings electronically could leave the City open to liability claims. She suggested changes can be made at a later date if needed, but for now not having quasi-judicial hearings electronically makes sense.

Attorney Kelly stated staff is working on a way to address this if the emergency continues for an extended time. She stated staff is working to find a way to meet constitutional due process requirements for all parties if we have to continue to meet electronically. She hopes to have suggestions for that at a later date.

Mayor Pro Tem Maloney agrees with Councilmember Dickinson that this is important, but don't want to make changes from the dais without further discussion.

DISCUSSION/DIRECTION/ACTION – CITY COUNCIL MEETING SCHEDULE MARCH 31 – APRIL 30

Muth stated staff is asking the Council to look at the upcoming meeting schedule to determine how it wants to proceed with that schedule given current circumstances. The only requirement is that Council meets twice each month, other than that Council can set the meeting schedule as it feel appropriate.

Mayor Stolzmann suggested the Council cancel the March 31 meetings and address the April 7 meeting as it gets closer.

Councilmember Dickinson would to go ahead with the March 31 meeting as he feels some of those items are time-sensitive.

Councilmember Lipton stated if Council is doing meetings electronically we should try to have as many items as we can to keep current, including executive sessions.

Mayor Pro Tem Maloney suggested postponing the dinner meetings scheduled for April but keep the rest as much as we can.

Members agreed to that proposal.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

Mayor Stolzmann reminded everyone of the recommendations for social distancing and checking email and the web site to keep current on information.

Councilmember Dickinson asked people to remind teenagers this is a real issue as people are reporting seeing groups of teens congregating.

Councilmember Brown stated the Colorado State Health Department listed recommendations for parents and guardians in this time and it includes avoiding playdates for kids.

ADJOURN

Members adjourned at 7:33 pm.

Ashley Stolzmann, Mayor

Meredyth Muth, City Clerk