



TOWN OF MOUNTAIN VILLAGE  
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## TOWN OF MOUNTAIN VILLAGE MINUTES OF THE JUNE 20, 2017 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:32 a.m. on Tuesday, June 20, 2017 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

### **Attendance:**

#### **The following Town Council members were present and acting:**

Dan Jansen, Mayor  
Laila Benitez  
Cath Jett  
Bruce MacIntire  
Marty McKinley, Mayor Pro-Tem  
Michelle Sherry

#### **The following Town Council members were absent:**

Dan Caton

#### Also in attendance were:

Kim Montgomery, Town Manager  
Jackie Kennefick, Director of Administration/Town Clerk  
Susan Johnston, Deputy Town Clerk  
Christina Lambert, Administrative Services Coordinator  
David Reed, Town Attorney  
Jim Mahoney, Assistant Town Attorney  
Steven Lehane, Director of Broadband Services  
Kevin Swain, Finance Director  
Julie Vergari, Chief Accountant  
Chris Broady, Police Chief  
Rachelle Redmond, Lieutenant  
Dave Bangert, Planner II/Forester  
Sam Starr, Planner  
Randy Kee, Building Official  
Jim Loebe, Director of Transit and Recreation  
Bill Knight, Marketing & Business Development Director  
Finn Kjome, Director of Public Works  
Bill Jensen  
David Gerber  
Nathan O. Pepple  
Todd Brown  
Karen Guglielmone  
Ann Brady  
Peter Jamar  
Heather Sackett  
Steve Evans  
Michelle Haynes  
Don Orr  
John Jett  
Jackson Trost  
Terry McEnany  
Sean Murphy  
Todd Brown  
Michael Ruterbories

Tim Johnson  
Anton Benitez  
Jonathan Greenspan  
Richard Child  
Paul Oupadia  
Jodi Repola  
Michael Martelon  
Greg Pack  
Matt Skinner  
Delanie Young  
Paul Ruud  
Glen VanNimwegen  
Banks Brown  
Jim Royer  
Brian Eaton  
Diego Veitia  
Doug Tueller  
Doug Tooley  
Peter Hayes  
Kenneth Goldsworthy  
Pam Pettee  
Drew Lloyd  
Jack Gilbride  
Carly Shaw  
Kris Holstrom  
Michelle Hogarth  
Kim Hewson  
John Bennett  
Peggy Miller  
George Barutha  
Greg Clifton  
Jenny Patterson  
Kristen Permakoff  
Dave Gerber

**Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402 (b) and for the Purpose of Negotiations Pursuant to C.R.S.24-6-402(4)e (2)**

On a **MOTION** by Laila Benitez and seconded by Cath Jett, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 8:33 a.m.

Council returned to regular session at 8:50 a.m. and took a short break to accommodate the seating of the Telluride Town Council members.

**Joint Session with Town of Telluride Town Council:  
Wastewater Treatment Plant Master Plan Presentation (4)**

Also in attendance from the Town of Telluride Town Council were Mayor Sean Murphy, Delanie Young, Ann Brady, Jenny Patterson, Todd Brown, and Kristen Permakoff. Terry McEnany of Stantec introduced the team: Mountain Village Town Manager Kim Montgomery, Telluride Town Manager Greg Clifton, Telluride Public Works Director Paul Ruud, Mountain Village Public Works Director Finn Kjome, Plant Superintendent Bill Goldsworthy, Telluride Environmental & Engineering Division Manager Karen Guglielmon, Town of Telluride Engineer Drew Lloyd and Plant Technician Peter Hayes. Finn Kjome stated that the Telluride Regional Wastewater Treatment Plant serves the Town of Mountain Village, the Town of Telluride and the eastern portion of San Miguel County including Lawson Hill, Hillside, Eider Creek, and Brown Homestead. Paul Ruud explained that wastewater treatment is a dynamic process involving living organisms whose sole purpose is to break down pollutants into components that can be reused in the environment. The Master Plan will address the aging infrastructure, capacity limits, and stricter discharge permit limits (i.e. metals, nutrients, emerging contaminants of concern) set by the Colorado Water Quality Control Division. Mr. Ruud introduced the objectives of the Master Plan:

- Objective 1:** Develop a strategy to ensure compliance with discharge permit limits for metals, particularly copper and arsenic.
- Objective 2:** Identify factors in the wastewater treatment system that constrains its ability to meet existing and upcoming discharge permit limits for other parameters.
- Objective 3:** Determine how the wastewater treatment system can meet growth within the service area over the next 30 years
- Objective 4:** Determine how to optimize bio solids generation, treatment, storage, and disposal.

In 2016 the Town of Mountain Village and the Town of Telluride discussed a need for a Master Plan. In 2017 the Master Plan was developed. The plan is broken down into time periods. In 2018 immediate improvements will be implemented which include:

- Copper compliance
- Oxidation ditch maintenance
- Septage receiving policy
- Bio solids Management

Near-term improvements will be addressed in 2018-2022:

- Supplemental oxygen
- Structural repairs
- Electrical Code compliance
- Bio solids Management

Long-term modification 2023-2027 will include:

- Preliminary Treatment (headworks)
- Secondary processes (on existing site or on adjacent site)
- Disinfection Systems
- Bio solids treatment

The Mayor thanked the group for an informative presentation. Discussion ensued regarding the overall cost of the project and how to prepare for the next steps. Public comment was received by Pam Pettee, Michael Ruterbories and Kris Holstrom.

**Public Comment for Non-Agenda Items (5)**

There was no public comment.

**Consideration of Approval of Minutes of the April 20, 2017 Regular Town Council Meeting (6)**

On a **MOTION** by Bruce MacIntire and seconded by Laila Benitez, Council voted unanimously to approve the May 18, 2017 meeting minutes with the following two amendments to agenda item 7c; Goal Setting for 2018 Budget: 1. *Council directed staff to put a \$50,000 placeholder in the budget for more trails and paths including planning for trail connectivity;* and 2. *Consider implementing the results of the Compensation Study*

**Second Reading, Public Hearing and Council Vote on an Ordinance to Adopt the 2017 National Electric Code with Amendments (7)**

Building Official Randy Kee presented the above item. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council voted 6-0 (Dan Caton was absent) to approve an Ordinance to Adopt the 2017 National Electric Code with the proposed amendments included.

Council moved to item 15

**Village Court Apartments Rezoning and Density Transfer, 415 Mountain Village Boulevard: (8)**

**a. Second Reading, Public Hearing and Council Vote on an Ordinance Rezoning Lots 1001R and 1005R, Zoned Multi-Family and Full Use Active Open Space, to Transfer 48 Units of Employee Apartment or Condominium Density (144 person equivalent) to Lot 1001R (8.4 acres) and Transfer 22 Units of Employee Apartment or Condominium Density (66 person equivalent) to Lot 1005R (2.8 acres); and Approving Alternative Parking Requirements**

Glen Van Nimwegen presented the above item stating that the Town Hall Subarea Committee and Design Review Board have both reviewed the project. The final plan has been revised from the original proposal of 70 new units, based on public input. DRB recommended an alternate plan removing 10 units however the wetlands survey showed that two of the proposed buildings would encroach on the wetlands. Staff met with a neighboring property owner who suggested eliminating Building 3 and doubling the density of the Townhomes by utilizing stacked flats. This plan will add 50 total units of additional housing. Additionally, the existing shop can remain (which reduces the costs of demolition and re-construction) and additional parking can be added in place of the new shop which helps raise the ratio of parking spaces to housing units. The Mayor opened the public hearing. Public comment was received by Steve Evans. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Cath Jett and seconded by Bruce MacIntire, Council voted 6-0 (with Dan Caton absent) to approve an Ordinance to (1) rezone Lots 1001R and 1005R, Zoned Multi-Family and Full Use Active Open Space Districts to Transfer 42 and 8 units of Employee Apartment Density respectively, to increase the total permitted density from 222 to 272 employee apartment units; and 2) approve an alternative parking requirement for the Village Court Apartments.

**Consideration of a Resolution Approving an Amendment to the Comprehensive Plan to Replace the Town Hall Center Subarea Plan Chapter with an Amended Town Hall Center Subarea Plan Chapter; and Other Associated Amendments (9)**

Glen Van Nimwegen stated that the above amendment is the culmination of a 16-month process to first form a planning committee and then find and hire a consultant team. He stated that the process resulted in getting the best input out of the citizens of Mountain Village. The new Town Hall Center Subarea Plan goes further in setting detailed development and design expectations for the subarea. The plan is a synthesis of creating a center for locals while welcoming our visitors. In March the Town adopted an MOU (Memorandum of Understanding) between TSG (Telluride Ski & Golf), and TMVOA (Telluride Mountain Village Owners Association) to move forward on the plan. AECOM was hired as the consultant and Operations Manager Nathan Pepple presented the plan. The Plan reinforces Town Hall Center's role as the civic hub of the community by encouraging the development and redevelopment of a variety of needed commercial, community, work force housing and service uses that support year-round residents and also serve a purpose for visitors. Public comment was received by Jim Royer, Brian Eaton, Greg Pack, Doug Tueller, Bill Jensen, Diego Veitia, Peggy Miller, and Paul Oupadia. Council discussion ensued. The Mayor thanked Glen Van Nimwegen for seeing the project through. On a **MOTION** by Marty McKinley and seconded by Laila Benitez, Council voted unanimously to adopt a Resolution approving an amendment to

the Comprehensive Plan to replace the Town Hall Center Subarea Plan chapter with the following conditions:

1. The Town Hall Subarea Plan exhibits shall be updated to be consistent with the rezone and density transfer approved for VCA.
2. Parcel B section 2(e) shall be revised to remove reference to the evaluation of a new parking area under Lift 10.
3. Town staff shall be permitted to correct immaterial errors, typos and inconsistencies in the Town Hall Subarea Plan.

Council took lunch break from 12:45 p.m. to 1:35 p.m.

**Marketing Telluride Inc. (MTI), and Colorado Flights Alliance (CFA) Bi-Annual Reports (10)**

Chief Operating Officer of CFA Matt Skinner presented his biannual report stating that commercial apron repaving is almost complete at the Telluride Airport (TEX) and that the airport should be open by June 30<sup>th</sup>. CFA saw solid growth through the winter with an increase in passengers of about 6%. Great Lakes Airlines will offer a Denver flight into TEX. Year over year, TEX was up approximately 11% in both seats and passengers. The C-class (CR7) approach has been approved by the FAA (Federal Aviation Administration) and CFA is in negotiations to bring additional flights into TEX. New Airport Manager Kenneth (Kenny) Maenpa is on board.

President and CEO of MTI Michael Martelon presented and stated that the Telluride/Mountain Village region may be on the way to having a 7<sup>th</sup> consecutive record summer in 2017 in terms of tax revenue and occupancy. He stated that MTI is improving their method of tracking of the grey market rentals. MTI's goal is to reach 60% occupancy in Mountain Village this summer. Michael Martelon and Matt Skinner thanked outgoing Council members Cath Jett, Marty McKinley and Michelle Sherry for their service and dedication.

**Lot 149AR Variance and RROW Encroachment Requests: (11)**

Senior Planner/Forester Dave Bangert presented stating that this is one of the first homes to come through the application process with the new design regulations. Michelle Sherry recused herself because her company was involved with this project. Mr. Bangert stated that the house will be less imposing with the variance than a standard gabled house.

- a. **Consideration of a Resolution to Approve a Variance to the Community Development Code Requirements for the Maximum Height to be Allowed for Lot 149AR from 35 feet to 39 Feet and Six Inches (39'-6"")**

Mr. Bangert stated that the variance was reviewed by the Design Review Board and approved for recommendation to Town Council. Council discussion ensued. There was concern that variances might become a re-occurring issue and Council discussed tracking the variance requests. Council directed staff to reevaluate the code if a trend is established. On a **MOTION** by Laila Benitez and seconded by Marty McKinley, Council voted unanimously 5-0 (with Michelle Sherry recusing herself and Dan Caton absent) to adopt a Resolution approving a variance to the Community Development Code requirements for the maximum height to be allowed for Lot 149AR from 35 feet to 39 feet and six inches.

- b. **Approval of Temporary Use of the Country Club Dr. RROW for Construction Staging and Direction to Legal to Draft a License Agreement and,**

Mr. Bangert explained that the Town owns the Country Club Drive Road Right-of-Way, and Council has the ability to grant a license agreement for temporary construction staging in the RROW at its sole discretion. Public Works Director Finn Kjome stated that the temporary construction staging would not adversely affect snow plowing activities over the winter, with the license agreement protecting the Town from any damages to the Road Right-of-Way during the temporary use of the RROW for construction staging. Dave Gerber of Gerber Construction Co. stated that the project start date is in August and should take approximately 8 months to complete. On a **MOTION** by Bruce MacIntire and seconded by Laila Benitez, Council voted unanimously to approve temporary use of the Country Club Dr. RROW for construction staging. The license agreement shall be approved by the Town Attorney's office and shall be executed by the property Owner prior to issuance of a building permit.

**c. Approval of Encroachments into the Country Club Dr. RROW with Direction to Staff to Draft an Encroachment Agreement**

The applicant has requested approval of parking, a heated walkway and raised planter bed in the Country Club Drive Right-of-Way in front of the new proposed single family home on Lot 149AR. Council discussion ensued. The Town owns the Country Club Drive Road Right-of-Way, with the Council allowed to grant revocable encroachments at its sole discretion. Dave Bangert stated that the Finn Kjome of Public Works stated that the driveway, walkway and planter would not adversely affect snow plowing activities over the winter, with the encroachment agreement protecting the Town from any damages to driveway, walkway and planter installed in the Road Right-of-Way. Public comment was received by the applicant Cynthia Barutha and Michelle Sherry. On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council voted 4-1 with Cath Jett opposed and Michelle Sherry recused, to adopt a Resolution approving a revocable encroachment agreement into the Touchdown Drive Right-of-Way for parking, landscaping and walkway adjacent new single family residence located on Lot 149AR.

**Finance: (12)**

**a. Presentation of the May 31, 2017 Business & Government Activity Report (BAGAR)**

Finance Director Kevin Swain presented the above item. Parking revenue continues to increase and RETA (Real Estate Transfer Assessment) has doubled over last year. Council discussion ensued.

**b. Consideration of the April 30, 2017 Financials**

Council discussion ensued. On a **MOTION** by Marty McKinley and seconded by Cath Jett, Council voted unanimously to accept the April 30, 2017 financials.

**Consideration of Letters of Support to Adopt, Honor and Uphold the Paris Climate Agreement Goals (13)**

Cath Jett presented the above item stating that CC4CA has asked for letters of support because of the current Federal Administration's decision to not support the Paris Climate Agreement. The show of support would require the Town to sign two online, pre-written letters. Council discussion ensued regarding the level of support that the Town was comfortable with endorsing. Council consensus was in support of revising the language to say that the Town supports the "goals" of the Paris Climate Agreement. The consensus was to draft a letter supporting climate change awareness goals and not to sign the proposed letters. On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council voted 5-1 (with Marty McKinley opposed) to direct staff (Jim Mahoney) to draft a revised support letter supporting the goals of the climate agreement and to authorize the Mayor to sign the revised letter.

**Staff Reports: (14)**

**a. Transit & Recreation**

Director Jim Loebe presented his report noting that there has been an increase in the number of Meadows bus riders as a result of a week extension in service. The recreation rangers started a few weekends ago. Park Mobile accounts for 16% of parking revenues. He stated that parking revenues are increasing as a result of eliminating the free hour of parking in the Heritage Parking Garage.

On a **MOTION** by Michelle Sherry and seconded by Marty McKinley, Council voted unanimously to extend the meeting beyond 6 hours.

**b. Town Manager**

Ms. Montgomery stated that the May Great Services Award was a three way tie between Jodi Miller of the Police Department, Bill Kight, Director of Marketing and Business Development and Nick Allen of Village Court Apartments. Ms. Miller volunteered to take over the employee clean-up day upon Deanna Drew's departure. She spent a great deal of time and effort on the clean-up day, from organizing pickup areas for tools, trash and recycling receptacles, preparing for a BBQ for all participants and soliciting door prizes on her days off. Bill Kight goes above and beyond on a daily basis and is doing an amazing job. At Mountain Film he single handedly staffed an information table the entire weekend outlining Mountain Village's environmental efforts including all of our incentive programs and highlighting the gondola's contribution to getting cars off the road. Nick Allen goes above and beyond his described work duties with a smile and positive attitude. VCA staff and residents (even the most difficult) praise Mr. Allen and the efforts he puts into making VCA a wonderful place to live. He gives 100% towards his workmanship even when performing the unwanted duties. His honesty and morals are appreciated.

Ms. Montgomery acknowledged the level of commitment and dedication to everyone who participated in the completion of the Sunset Plaza repaving project. Finn Kjome, Aplin Masonry, Richard Waters with Proset, Dave Eckman, Trifecta LLC, Ken Watt, Jaimie Schuller, Steve Lehane, Caley Davis, John Owens, James Lynch, Nolan Merrill, Daniel Aurand, Dennis Shipley, Nate Wilson, Eli Hoge, Jory Hasler, Bill Kight, JD Wise, Brett Button, Jessica Quinn, Jack Wolanin, Ben Potter, Gavin McLoflin.

The IGAs with Marketing Telluride Inc. and San Miguel Regional Housing Authority will automatically renew unless Council chooses to take action. Council discussion ensued and Council consensus was in favor of the automatic renewal.

**Council Boards and Commissions Updates: (15)**

**a. San Miguel Watershed Coalition (SMWC)– Jett**

There was no update.

**b. Colorado Flights Alliance (CFA) – Jansen**

The Mayor stated that TEX (Telluride Regional Airport) summer bookings are up significantly. The airport is still closed for the apron project and will reopen by early July. CFA has developed its long range plan to continue to add capacity, bookings and new routes. New Airport Manager Kenny Maenpa is on board and the Mayor invited him to attend a future Town Council meeting.

**c. Transportation & Parking- Benitez/MacIntire**

Laila Benitez stated that there was no update and that there were no major issues with The Telluride Bluegrass Festival on street parking.

**d. Budget & Finance Committee – McKinley/Caton**

Marty McKinley stated that the Town is having a good year in revenue flow, however; with the uncertainty of the Gondola funding as well as the Waste Treatment Plan, the Town needs to be very fiscally conservative.

**e. Gondola Committee –Jansen/Caton**

The Mayor stated that he attended his first meeting with TMVOA, TSG, San Miguel County and the Town of Telluride. They discussed an economic impact study to determine how the Gondola is utilized.

**f. Colorado Communities for Climate Action (CC4CA)- Jett**

There was no update.

**g. San Miguel Authority for Regional Transportation (SMART)-Benitez/Caton**

Ms. Benitez stated that SMART has started IGA (Intergovernmental Agreement) planning with the Town of Telluride, Mountain Village and San Miguel County to discuss what assets will be transferred to SMART and what the timeline might look like.

**h. Eco Action Partners(EAP) –Sherry**

There was no update.

**i. Telluride Historical Museum-Sherry**

There was no update.

**j. Telluride Conference Center (TCC)-MacIntire**

There was no update.

**k. Multi-Cultural Advisory Committee (MAC)-Benitez**

Ms. Benitez stated that MAC has been continuing their work and wanted to thank Cecilia Curry at VCA and Jim Mahoney for assisting the immigrant community.

**l. Mayor's Update-Jansen**

There was no update.

Moved back to agenda item 8

**Other Business (16)**


Mountain Village Police Chief Broady stated that CDOT (Colorado Department of Transportation) will be starting a local project June 21<sup>st</sup>. CDOT is anticipating 15 minute delays on Highway 145. The Mayor stated that he signed a letter of support regarding the Telluride Ski & Golf 5 year master plan. Council discussion ensued regarding moving the date of the July meeting. Council consensus was to move the meeting from July 20<sup>th</sup> to July 25<sup>th</sup>. (Note: The meeting was subsequently moved to July 27).

**Executive Session Part 2) for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e (17)**


On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 3:16 p.m.

There being no further business, on a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council unanimously agreed to adjourn the meeting at 4:01 p.m.

Respectfully prepared,

  
Susan Johnston  
Deputy Town Clerk

Respectfully submitted,

  
Jackie Kennefick  
Town Clerk

