



TOWN OF MOUNTAIN VILLAGE
455 Mountain Village Blvd. Suite A
Mountain Village, Co 81435
970-728-8000
970-728-4342 Fax
mvdclerk@mtvillage.org

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE MAY 19, 2016
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:34 a.m. on Thursday, May 19, 2016 in the Mountain Village Town Hall, 455 Mountain Village Town Hall Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

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

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Director of Administration/Town Clerk
Susan Johnston, Deputy Town Clerk
Christina Meilander, Administrative Services Coordinator
David Reed, Town Attorney
Jim Mahoney, Assistant Town Attorney
Nichole Zangara, Director of Marketing & Business Development
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Chris Broady, Police Chief
Glen Van Nimwegen, Dir. of Planning & Development Services
Dave Bangert, Forester/Planner
Colleen Henderson, Planner II
Deanna Drew, Director of Plazas & Environmental Services
Jim Loebe, Director of Transit & Recreation
Finn Kjome, Director of Public Works
Sue Kunz, Director of Human Resources
Rob Johnson, Transportation Manager
JD Wise, Plaza & Environmental Services Manager
Richard Thorpe
Rosa Lea Davis
David Heaney
Marcy Pickering
Michael Lynch

Shirley Diaz
Anton Benitez
Robert Stenhammer
Jolana Vanek
Michael Martelon
Matt Skinner
Rosie Cusak
Alec Jacobson
Julie Kolar
Josh Freed
Jack Gilbride
Betsy Adler
Tom McGlade
Stefanie Solomon
Mike Fitzhugh
Billy Warlock
Randy Edwards
Sean Hakes
TD Smith
David Doemland
Rube Felicelli
Dominic Maurello
Banks Brown
Ben Jackson

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 8:34 a.m.

Council returned to regular session at 10:00 a.m.

Public Comment for Non-Agenda Items (3)

There was no public comment.

Consideration of a Proclamation Declaring May “Sexual Assault Awareness Month” – with San Miguel Resource Center (4)

Cath Jett read the Proclamation. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted unanimously to approve a Proclamation declaring May “Sexual Assault Awareness Month”.

Consideration of Approval of Meeting Minutes of the April 21, 2016 Regular Meeting (5)

On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to approve the April 21, 2016 Town Council meeting minutes with the following addition to agenda item # 10: *“The Mayor noted that SMPA and EAP have announced a low income weatherization program. The Town endorses it and is considering extending the program to all residents regardless of income.”*

Liquor Licensing Authority (6)

a. Consideration of an Application by NVHG Hotel Madeline Operator, LLC dba Madeline Hotel Residences Telluride for a Modification of Premises and Addition of a Related Facility for Hotel Madeline Pool Area

Deputy Town Clerk Susan Johnston presented the application. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to approve an application by NVHG Hotel Madeline Operator, LLC DBA Madeline Hotel and Residences Telluride for a Modification of Premises and Addition of a Related Facility for Hotel Madeline Pool Area on a H&R Resort Complex liquor license.

b. Consideration of an Application by Telluride Mountain Village Owners Association in Conjunction with Telluride Wine Festival for Special Event Liquor Permits Between June 23-25, 2016 at The Ridge Club for Seminars

Susan Johnston presented the application. On a **MOTION** by Laila Benitez and seconded by Michelle Sherry, Council voted unanimously to approve an application by Telluride Mountain Village Owners Association in Conjunction with Telluride Wine Festival for Special Event Liquor Permits Between June 23-25, 2016 at The Ridge Club for seminars.

Marketing Telluride Inc. (MTI) and Colorado Flights Alliance (CFA) Bi-annual Report (7)

President and CEO of MTI Michael Martelon and Chief Operating Officer of CFA Matt Skinner presented their reports. Summer guest services staffing will begin June 13th at both the Gondola Plaza in Mountain Village and at the Oak Street Plaza. The new Visitor’s Center is projected to open before the Telluride Bluegrass Festival. Mr. Skinner stated that the number of airline passengers grew 19% over last year. Allegiant Airlines will add a route in addition to the LAX flights, but the Las Vegas flight will be discontinued. Telluride Airport has one C class approach already in place with three additional approaches awaiting FAA approval. Mr. Skinner stated that Montrose County is looking for regional buy in to fund the Montrose Airport expansion project.

Discussion on Mountain Village Wayfinding/Enhanced Signage Project Scope of Work (8)

Director of Marketing and Business Development Nichole Zangara introduced Esse Design Principal Julie Kolar to discuss how to develop and implement a wayfinding program. Ms. Kolar explained that the goal of the signage project is to provide a welcoming, straightforward and clear message. Wayfinding is the ability to allow people to feel comfortable when moving through a space while creating a story and theme. Esse Design has also been working with the Town of Telluride on wayfinding, and would like to create a similar theme in Mountain Village. A committee will be formed with members from the Town, TMVOA, local businesses and TSG to begin the discovery process prior to moving forward with new signage. The process will be done on a community level with multiple public meetings over several months. Council consensus was to move forward with the committee formation and public meetings, and to include funding for the project in the 2017 budget. Public comment was received by Jolana Vanek. Laila Benitez volunteered to be the Town Council representative on the committee.

Consideration of a Funding Request for the 2016 Ideas Festival (9)

Ideas Festival Director Alec Jacobson presented the request. Since 1985, the Telluride Institute has hosted the Ideas Festival to combine international and local experience and energy to take on critical issues. This year's festival will take place September 9-11th. The goal of the festival is to have participants develop a series of new actionable plans to improve the regional employee housing market. The keynote speaker will be Jonathan Rose, owner of a multi-disciplinary real-estate planning, developing and investing firm that aims to "repair the fabric of communities". Mr. Jacobson requested funding of \$5,000-\$7,000 which is the same amount that the Town of Telluride is considering. Mr. Jacobson encouraged Council members to attend the festival. Most of the sessions are to be held at the Sheridan Opera House, but he agreed to look for opportunities to bring some events to Mountain Village. This festival is designed to bring many ideas to the table through different thought processes. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Marty McKinley, Council voted unanimously to fund the Ideas Festival up to \$5,000 on the condition that an event is scheduled at a Mountain Village venue and a schedule of events/brochure confirming the event is provided.

Consideration of a Term Sheet Between the Town and Adams Ranch MV, LLC Regarding Matters Related to Lot 640A (10)

Assistant Town Attorney Jim Mahoney presented the above item stating that the term sheet defines the details of an offer by the owner of Lot 640A, for the Town to purchase and develop a park on Lot 640A. The owner/developer of Lot 640A presented the Town with a term sheet defining the area to be retained as the development site, open space and Parcel C which is the location of the proposed park. The Town hired an appraiser to provide an appraisal on the property, but was told that a number could not be determined through the appraisal process, citing a lack of comparable sales as one reason. Council discussion ensued regarding the need to be able to capture a true value of the property. Randy Edwards, owner of Lot 640A, stated that the Town had previously offered \$1.5 million for the purchase of Lot 640A and since the parcel proposed for the park is approximately one half of the size of that parcel, Mr. Edwards halved the price to \$750,000. Public comment was received by Randy Edwards, Shirley Diaz, Stefanie Solomon, Jolana Vanek, Anton Benitez and Richard Thorpe. Ms. Solomon stated that TSG is in support of accelerating the timeline to build. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to continue this item to the June 16, 2016 Council meeting and directed staff along with Council members Bruce MacIntire and Dan Caton, to address the following:

- Analysis on the asking price with potential third party involvement
- Acceleration of the timeline to build
- Stake the property for visual clarification
- TSG land transfer deal sorted out prior to closing
- Level the existing building as soon as possible
- Provide an open public process for the park with community involvement
- Potential phasing of payment to developer based on contract milestones

Consideration of a Long Term Funding Agreement for Gondola Plaza Between the Town, Telluride Mountain Village Owners Association (TMVOA) and Telluride Ski and Golf (TSG) (11)

Jim Mahoney presented the above item. This agreement is relative to the upper level of the gondola plaza on Lot 53A where the gondolas come into the Mountain Village core. The Town has several easements for pedestrian and gondola usage. The original easement agreements were informal and do not address maintenance and snow melt costs. TSG recently invested considerable funds to improve the snowmelt system and resurfacing. The Town asked for TSG to come up with an agreement for cost sharing with TMVOA, the Town and TSG. Discussion ensued on an auto renew clause for this contract, however; the ending date is tied to the year that the TSG Gondola Funding Agreement ends. Public comment was received by Anton Benitez and Stefanie Solomon. Stefanie Solomon stated that the percentages used to determine the cost per party are based on the easements and usage. On a **MOTION** by Dan Caton and seconded by Cath Jett, Council voted unanimously to approve a long term funding agreement for Gondola Plaza between the Town, TMVOA and TSG as presented.

Council took a lunch break from 12:25 p.m. to 12:31 p.m.

Second Reading, Public Hearing and Council Vote on an Ordinance Approving a Franchise Agreement Between the Town and New Path Networks, LLC for Installation of a Dispersed Antenna System on Town Property (12)

Jim Mahoney presented the above Ordinance for second reading noting that there were no changes from the first reading. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance approving a Franchise Agreement between the Town and New Path Networks, LLC for installation of a Dispersed Antenna System on Town property as presented.

On a **MOTION** by Michelle Sherry and seconded by Cath Jett, Council voted unanimously to convene as the Town of Mountain Village Housing Authority Board.

Town of Mountain Village Housing Authority: (13)

a. Consideration of Consenting to a Dispersed Antenna being Placed on Village Court Apartments Property Pursuant to the Franchise Agreement Between the Town and New Path Networks, LLC

Jim Mahoney presented the agreement. On a **MOTION** by Bruce MacIntire and seconded by Cath Jett, the Board voted unanimously to approve the Town of Mountain Village Housing Authority's consent to the use of Lot 1005 for the installation of a node and related equipment pursuant to a Franchise Agreement between the Town of Mountain Village and New Path Networks, LLC and authorize the Chair of the Housing Authority, Dan Jansen, to execute any documents necessary to effectuate such content.

b. Consideration of a Request from William and Laura Powers, Owners of Cassidy Ridge C202, for Permission to Not Sell Their Unit by Lottery and Permit Them to Rent it

Executive Director of San Miguel Regional Housing Authority Shirley Diaz presented the above request. The owners, William and Laura Powers, are requesting permission to move out of their unit and rent/sell the unit to a couple without a lottery in order to move into that couple's rental unit. SMRHA has recommended conditions in their memo. Council discussion ensued. On a **MOTION** by Cath Jett and seconded by Laila Benitez, the Town of Mountain Village Housing Authority voted unanimously to approve the request with the following conditions:

- Cassidy Ridge C202 may be purchased without a public lottery to the unidentified couple interested in the unit, if they qualify;
- The interested party shall apply to SMRHA to qualify to purchase the unit and SMRHA will provide a letter to verify approval;
- The unit may be rented for 6 months to the couple if they qualify, but must be under contract for purchase before the end of the 6 months and purchased within 8 months;
- The rent may not exceed the mortgage plus HOA dues based on a monthly calculation and a lease must be executed for no more than 8 months;
- If the couple does not qualify, a lottery must be held to sell the unit to a qualified household and the couple may not occupy the unit;
- The Maximum Sale Price for the unit shall be calculated based on the exception application date of April 29, 2016 and will remain in effect for one year for purposes of selling the unit.

On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council voted unanimously to reconvene as the Mountain Village Town Council.

San Miguel Regional Housing Authority Annual Report (14)

Shirley Diaz presented the above report stating that there has been a notable reduction in exceptions in Mountain Village and a decrease in Housing Authority rental unit applications. Council discussion ensued regarding looking for additional steps to curb noncompliance issues in Mountain Village. Council thanked Ms. Diaz for a great report.

Consideration of a Resolution Approving a Revocable Encroachment Agreement for Landscaping in the San Joaquin Road Right of Way Adjacent to Lot 154 (16)

Forester/ Planner Dave Bangert presented the above item stating the Design Review Board (DRB) has reviewed and approved the landscaping plan which will enhance the appearance of the property. On a

MOTION by Cath Jett and seconded by Laila Benitez, Council voted unanimously to adopt a Resolution Approving a Revocable Encroachment Agreement for landscaping in the San Joaquin Road right-of-way adjacent to Lot 154.

Consideration of a Resolution Approving a Minor Subdivision to Adjust the Lot Line Between Lots 376RA and 387R (17)

Planning and Development Services Director Glen Van Nimwegen presented the above item stating that the property is in the southwest corner of Mountain Village. He noted that DRB reviewed the application on May 5th and has recommended approval. Mr. Van Nimwegen added that the general easements do not change from the original plat and that a private roadway will be built for use by the applicant. Public comment was received by Tom Kennedy. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to adopt a Resolution approving a minor subdivision to adjust the lot line between lots 376RA and 387R as presented.

Staff Report and Public Input on Limitations on Subdivision of Single-Family Lots (18)

Glen Van Nimwegen presented the report highlighting what similar communities regulate. The Town of Breckenridge bans further subdivision in their community with very specific guidelines. Aspen also has rules regarding subdivision. Telluride does allow additional units to be placed on a single family lot, but with a conditional use permit and they do allow for abandoning lot lines. Only one community had a complete ban on subdividing, and several do allow additional dwelling units. The trend in the communities researched is to get away from regulating lot coverage but to limit the square footage of the home instead. Public comment was received by Dominic Maurello and David Heaney. Council discussion ensued. Council directed staff to bring back concepts to amend the CDC putting limitations on lot splits in single family districts using the Planned Unit Development (PUD). Council will review the concepts at the June 16, 2016 joint Town Council/DRB meeting.

Discussion on a PUD Amendment and Density Transfer to Convert First Floor Commercial Space (Restaurant) to Residential at See Forever Village, 117 Sunny Ridge Place (19)

Glen Van Nimwegen stated that in 2002 the PUD set aside an area in the See Forever Village which was slated to become a restaurant as a community benefit. The space has been vacant for 16 years and the restaurant did not happen due to economic conditions. The owner of the property has proposed converting the space to a four bedroom condo which would be included in the short term rental pool of See Forever Village/The Peaks. Attorney Mike Lynch, who represents the prospective buyer, stated that there was no time limit mandated for constructing the restaurant mainly because it was tied to the Gondola extension which did not occur. Mr. Lynch stated that the conversion will provide for use tax, lodging tax, property tax and RETA to Telluride Mountain Village Owner's Association (TMVOA) thus providing a public benefit in place of the restaurant. Council discussion ensued regarding the obligations of the agreement, and what constitutes a public benefit. The Town spends approximately \$60,000 (plus capital repairs) annually to run the snow melt and perform landscaping on this property. Council consensus was that the Town has never received the public benefit intended and the present benefit proposed is not adequate. Council suggested that the seller, John Abrams, present ideas for a more significant public benefit. Council directed legal counsel and Mr. Van Nimwegen to have an off-line conversation with Mr. Abrams. Public comment was received by TD Smith.

On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council voted unanimously extended the meeting beyond 6 hours.

Moved to item # 23

Reconsideration of Summer Parking Rates for Gondola Parking Garage (GPG) (20)

Director of Transit and Recreation Jim Loebe presented the above item. Town Manager Kim Montgomery stated that the Parking Committee met after the last Council meeting and has recommended keeping daytime parking in the GPG free for the summer season with an overnight rate of \$25. The committee will explore options and develop a long term parking plan with a goal of creating a multi-year, auto-renewing agreement with TSG. On a **MOTION** by Michelle Sherry and seconded by Laila Benitez, Council voted unanimously

to accept the recommendations of the Parking Committee and reverse the previous rates set at the April Town Council meeting to free daytime parking with an overnight parking rate of \$25 at the GPG.

Consideration of Ratification of a Letter to Governor Hickenlooper Requesting He Veto House Bills 16-1309 and 16-1311 (21)

The Mayor presented the above item. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to approve the ratification of a letter to Governor Hickenlooper requesting that he veto House Bills 16-1309 and 16-1311.

Finance: (22)

a. Presentation of the February 28, 2016 Business & Government Activity Report (BAGAR)

Finance Director Kevin Swain presented the BAGAR. Council discussion ensued.

b. Consideration of the February 29, 2016 Financials

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted unanimously to approve the March 31, 2016 Financials as presented.

2016 Gay Ski Week Report (23)

Rosie Cusak presented the report stating that the 2016 event was an overwhelming success. The 2017 dates have been set for February 25th-March 4th. The key to ongoing success of this event is corporate sponsorship and product. This year the event was produced in 45 days. Ms. Cusak stated that a comprehensive survey of this year's attendees was conducted with very positive results. Council requested Ms. Cusak to track hotbed occupation in Mountain Village for the 2017 event.

Discussion on Potential Back-up Generators for Town Facilities (24)

Public Works Director Finn Kjome presented the above item stating that the municipal building and maintenance shop are the two highest priority buildings for generators. It will cost approximately \$150,000 for a new generator (plus additional costs to install) to supply the Town Hall building including the Market. The risk of power outages should be lower due to San Miguel Power Association (SMPA) improving the circuit coming into Mountain Village. It is a large investment as well as a risk. In order to utilize a generator at either location, utility upgrades will be required. Maintenance costs are low and a generator should last up to 50 years. The generator can be relocated easily. Council discussion ensued. Mr. Kjome suggested continuing this discussion in the budget process. Grant opportunities do not exist for this expense. Council agreed that Town Hall and the Mountain Market were the highest priorities. Council direction was to reuse an existing generator located at the gondola angle station, for the maintenance shop if it is able to be relocated; and to continue the discussion on the purchase of a generator for Town Hall during the 2017 budget process.

Discussion on how Special Events Might be Developed and/or Managed by the Town (25)

Cath Jett presented the above item stating that she and some staff members have been approached by individuals expressing interest in hosting events in Mountain Village. Both the Town and TMVOA have moved into support roles of events. Plaza Services Manager JD Wise stated that the role of their department is to help individuals or groups wanting to hold events in Mountain Village through the process however; they do not seek out new events. Council discussed hiring/sharing a marketing person with TMVOA, whose main objective would be to bring events to Mountain Village. Public comment was received by Robert Stenhammer who stated that TSG would be supportive of collaborating to promote Mountain Village events. Council consensus was that some version of Telluride's Commission for Community Assistance, Arts and Special Events (CCAASE) should be explored. Council appointed Cath Jett and Laila Benitez to develop a plan.

Council Boards and Commissions Updates: (26)

- a. **Eco Action Partners(EAP) –Sherry**
- b. **Telluride Historical Museum-Sherry**
- c. **San Miguel Watershed Coalition – Jett**
- d. **Colorado Flights Alliance (CFA) – Jansen**
- e. **Transportation & Parking- Benitez/MacIntire**

- f. Budget & Finance Committee – McKinley/Caton
- g. Gondola Committee – McKinley/Caton
- h. Mayor's Update – Jansen

Council did not provide updates due to time constraints and will update at the June Council meeting.

Staff Reports: (27)

a. Transit and Recreation

Jim Loebe presented his report. He stated that all summer recreation venues are projected to be open May 26th except for the bike park which is scheduled to open June 20th. Total noon parking counts were up 36.3% this winter as compared to winter 2014-15. However, winter season revenues were down 36.4% from the same period last year primarily due to the loss of daytime revenues in Gondola Parking Garage (GPG).

b. Public Works

Finn Kjome stated that the Meadows Improvement Project has been put out to bid, with bids due on June 8th. The department is working on an incentive program for smart controllers on sprinkler systems. The funds for the incentives will come from the water sewer budget. Council is in support of extending the benefit to all homeowners who pay into the water sewer program.

c. Town Manager

Kim Montgomery presented her report highlighting that Rob Whitaker of Village Court Apartments (VCA) Maintenance team received the April Great Services Award for always helping out when needed and handling all requests in a timely and professional manner.

Bruce MacIntire left the meeting at 4:25 p.m.

Michelle Sherry left the meeting at 4:33 p.m.

Other Business: (28)

a. Notify Council of Ethics Commission Term Expiring July 2016-Andrew Karow

Director of Administration/Town Clerk Jackie Kennefick stated that the position will be noticed on the website and agendized for appointment at the June meeting.

b. Discussion of Dates and Times for Benchmarking Study Open House

Council discussion ensued and the open house was scheduled for the evening of June 21st in order to facilitate public input.

There being no further business, on a **MOTION** by Marty McKinley and seconded by Laila Benitez, Council unanimously agreed to adjourn the meeting at 4:37 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick
Town Clerk