



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

TOWN OF MOUNTAIN VILLAGE MINUTES OF THE JUNE 14, 2018 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:28 a.m. on Thursday, June 14, 2018 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Jansen
Patrick Berry
Natalie Binder
Jack Gilbride

Absent:

Dan Caton, Mayor Pro Tem
Bruce MacIntire

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
Sarah Abbott, Associate Town Attorney
Chris Broady, Police Chief
Michelle Haynes, Director of Planning & Development Services
Sam Starr, Planner
Dave Bangert, Forrester/Planner II
Sue Kunz, Director of Human Resources
Cecilia Curry, Village Court Apartments Manager
Robert Haining
Cheryl Kimleigh
Suzanne Cheavens
Jolana Vanek
Nicole Pieterse

Anton Benitez
Chris Hawkins
Tim Johnson
Matt Skinner
Doug Tooley
Meghann McCormick
Leslie Browning
Shirley Diaz
Lexi Tuddenham
Jim Boeckel
Robert Haining
Jordan Dimick
Carson Taylor
Dave Schillaci
Noah Sheedy
Scott Pittenger

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 Jack Gilbride and seconded by Patrick Berry, Council voted unanimously 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 8:29 a.m.

Council returned to regular session at 9:24 a.m.

Council took a break from 9:24 a.m. to 9:28 a.m.

Public Comment on Non-Agenda Items (4)

No public comment was received.

Consideration of Approval of Minutes (5)

Deputy Town Clerk Susan Johnston presented.

a. May 17, 2018 Regular Town Council Meeting

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to approve the May 17, 2018 Regular Town Council meeting minutes as presented.

b. May 31, 2018 Special Town Council Meeting

On a **MOTION** by Dan Jansen and seconded by Patrick Berry, Council voted 4-0 (with Jack Gilbride abstaining because he was not present at the May 31st meeting) to approve the May 31, 2018 Special Town Council meeting minutes as presented.

Town Council Acting as the Liquor Licensing Authority:

a. Consideration of an Application for a Special Event Liquor Permit by Telluride Wine Festival Foundation for Wine Seminars at the Great Room at the Ridge Club on June 28-30, 2018 from 8:00 a.m. to 9:00 p.m.

Susan Johnston presented. On a **MOTION** by Dan Jansen and seconded by Natalie Binder, Council voted unanimously to approve a special event liquor permit by Telluride Wine Festival Foundation for Wine seminars at the Great Room at the Ridge Club on June 28-30, 2018 from 8:00 a.m. to 9:00 p.m.

b. Consideration of an Application for Special Event Liquor Permits by Telluride Arts for the Art & Architecture Event at Five Locations in Mountain Village on July 22, 2018 from 11:00 a.m. to 6:00 p.m.

Susan Johnston presented. On a **MOTION** by Patrick Berry and seconded by Natalie Binder, Council voted unanimously to approve an application for special event liquor permits by Telluride Arts for the Art & Architecture event at five locations in Mountain Village on July 22, 2018 from 11:00 a.m. to 6:00 p.m.

Consideration to Impose an Open Fire Restriction (7)

Chief of Police Chris Broady presented and introduced Fire Marshal Jim Boeckel. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted unanimously to continue the fire ban until conditions improve.

Second Reading, Public Hearing and Council Vote on an Ordinance Approving a Community Development Code (CDC) Amendment to CDC Section 17.5.6.C.3. Roof Material pursuant to CDC Section 17.1.7 Amendments to the Community Development Code (8)

Director of Planning and Development Services Michelle Haynes presented. The Mayor opened the public hearing. Public comment was received by Anton Benitez. The Mayor closed the public hearing. On a **MOTION** by Jack Gilbride and seconded by Dan Jansen, Council voted 5-0 to approve a Community Development Code amendment to CDC Section 17.5.6.C.3 roof material pursuant to CDC Section 17.1.7 amendments to the CDC.

Consideration of a Resolution to Approve a Major Scale Subdivision for Lot 151R per Community Development Code Section 17.4.13.E.2 (9)

Planner Sam Starr presented. Patrick Berry recused himself from voting on agenda items 9 and 10 due to his employment with TSG and potential conflict involving a TSG easement. Public comment was received by Chris Hawkins (representative for the Retreat at Mountain Village) and Nicole Pieterse. On a **MOTION** by Natalie Binder and seconded by Jack Gilbride, Council voted 4-0 (with Patrick Berry recused) to adopt a Resolution approving a major scale subdivision for Lot 151R per Community Development Code Section 17.4.13.E.2, including the seven conditions recommended by DRB in the staff memo and adding an eighth condition that the eastern and western exterior General Easements be revised on the plat to show a full 16 ft. General Easement.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Approving (1)a Rezone of Lot 151R From Multi-Family to Single-Family (2) Changing Four Condominium Unit Designations to Three Single Family Unit Designations to be Assigned to Each Replatted Lot (Lot 151A, Lot 151B and Lot 151C) per Community Development Code Sections 17.4.9 & 17.4.10 (10)

Sam Starr presented. Patrick Berry recused himself due to his employment with TSG. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted 4-0 (with Patrick Berry recused) to approve the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 to rezone the property from the Multi-Family zone district to the Single-Family zone district and change the Zoning Designations from four condominium units to three single family units (one per each proposed new

lot) with the resulting 12 person equivalent for the project with the findings in the staff memo and the following conditions:

1. The approval is conditioned upon the Major subdivision plat approval by Town Council.

Consideration of a Resolution Approving a Conditional Use Permit to Allow a Mining Sluice, and Trampoline on Lot OS 3X, Heritage Plaza (11)

Sam Starr presented. Patrick Berry recused himself due to his employment with TSG who manages the Mining Sluice and Trampoline. Public comment was received by Carson Taylor and Noah Sheedy. On a **MOTION** by Dan Jansen and seconded by Natalie Binder, Council voted 4-0 (with Patrick Berry recused) approving a Conditional Use Permit allowing a mining sluice and trampoline on Lot OS 3X, Heritage Plaza.

Consideration of a Resolution Approving a Conditional Use Permit to Allow a Ropes Course on Lot OS 3U (12)

Sam Starr presented. Patrick Berry recused himself due to his employment with TSG. On a **MOTION** by Jack Gilbride and seconded by Dan Jansen, Council voted 4-0 (with Patrick Berry recused) to adopt a Resolution approving a Conditional Use Permit to allow a Ropes Course on Lot OS 3U.

Drought Condition Update (13)

Jordan Dimick, Professional Engineer with SGM (out of Durango, CO) presented along with Town Water Technician Robert Haining. There will be another update at the July Town Council meeting.

Sheep Mountain Alliance (SMA) Requests: (14)

Executive Director Lexi Tuddenham presented.

- a. **Consideration of Approval of a Letter of Support for the GMUG Grand Mesa-Gunnison-Uncompahgre National Forests Wilderness Recommendations made by SMA, the Wilderness Society and Other Groups**

On a **MOTION** by Patrick Berry and seconded by Natalie Binder, Council voted unanimously to approve a letter of support for the GMUG Grand Mesa-Gunnison-Uncompahgre National Forests Wilderness recommendations made by SMA, the Wilderness Society and other groups.

- b. **Consideration of Approval of a Letter of Support of the San Juan Mountain Wilderness Bill**

On a **MOTION** by Patrick Berry and seconded by Natalie Binder, Council voted unanimously to approve a letter of support of the San Juan Mountain Wilderness Bill.

Consideration of Approval of a Policy Addressing Public Comment (15)

Assistant Town Attorney Jim Mahoney presented. Council directed staff to obtain a timer that provides the speaker with notice of remaining time. Public comment was received by Jolana Vanek. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, voted unanimously to approve the policy with the following edit:

- a. Add: *The Mayor or presiding officer shall read a short statement on the public comment policies before each meeting which shall also be written into each agenda and posted in several areas at the meeting location.*

Colorado Flights Alliance Bi-Annual Report (16)

Matt Skinner presented the report.

Council took a break from 12:03 p.m. to 12:11 p.m.

Council moved to agenda item 22

Discussion Regarding Village Court Apartment (VCA) Comparative Regional Rents and Possible Incremental Rent Increase of Less Than \$50/Month Effective 2019 and Only Upon Lease Renewal (17)

VCA Manager Cecilia Curry presented. Public comment was received by Doug Tooley and Leslie Browning. Council directed staff to create a long-term plan and financial analysis to include in the budget work session.

San Miguel Regional Housing Authority Annual Report (18)

Director Shirley Diaz presented the report.

Discussion of potential regulations regarding the treatment of dead, diseased and beetle infested trees and an update on Mountain Village Defensible Space Incentive Program (19)

Forrester/Planner II Dave Bangert presented the update. Public comment was received by Doug Tooley and Scott Pittenger. Council directed staff to draft an Ordinance regulating the treatment of dead, diseased and beetle infested trees in the next two months.

Dan Jansen left the meeting at 2:00 p.m.

Town Hall Subarea Monthly Update (20)

Michelle Haynes and Anton Benitez presented the update.

Village Center Subarea Monthly Update (21)

Michelle Haynes and Anton Benitez presented the update.

Council Boards and Commissions Updates: (22)

- a. **San Miguel Watershed Coalition-Starr**
- b. **Colorado Flights Alliance-Jansen**
- c. **Transportation & Parking-MacIntire/Benitez**
- d. **Budget & Finance Committee-Caton/Gilbride**
- e. **Gondola Committee-Caton/Berry**
- f. **Colorado Communities for Climate Action-Berry**
- g. **San Miguel Authority for Regional Transportation (SMART)-Benitez/Caton /Binder**

Council directed staff to execute a letter of support of SMART's application for a Colorado Department of Transportation grant.

- h. **Eco Action Partners-Berry/Binder**
- i. **Telluride Historical Museum-Berry**
- j. **Telluride Conference Center-MacIntire**
- k. **Alliance for Inclusion-Berry**
- l. **Green Team Committee- Berry/MacIntire**

Patrick Berry presented. Public comment was received by Leslie Browning regarding initiating a ban on plastic straws with a progressive move toward paper straws. Council consensus was in favor of the ban. The Green Team will keep Council informed of the progress.

- m. **Telluride Tourism Board-Jansen**
- n. **Mayor's Update- Benitez**

Council moved to item 17.

Staff Reports: (23)

- a. **Town Manager**

Kim Montgomery presented the report.

Other Business: (24)

Town Clerk/Director of Administration Jackie Kennefick presented.

- a. **Save the Date: July 17 Tri Gov Dinner**
- b. **Save the Date: September 27 CML Regional Dinner**

There being no further business, on a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted unanimously to adjourn the meeting at 2:14 p.m.

Respectfully prepared,


Susan Johnston

Deputy Town Clerk

Respectfully submitted,


Jackie Kennefick

Town Clerk