



TOWN OF MOUNTAIN VILLAGE  
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**TOWN OF MOUNTAIN VILLAGE  
MINUTES OF THE MAY 18, 2017  
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:35 a.m. on Thursday, May 18, 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  
Dan Caton  
Laila Benitez  
Cath Jett  
Bruce MacIntire

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

Marty McKinley, Mayor Pro-Tem  
Michelle Sherry

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  
Kevin Swain, Finance Director  
Chris Broady, Police Chief  
Dave Bangert, Planner II/Forester  
Sam Starr, Planner  
Randy Kee, Building Official  
Finn Kjome, Public Works Director  
Scott Butler

Tim Johnson  
Anton Benitez  
Tom Kennedy  
Michelle Haynes  
Robert Stenhammer  
Jonathan Greenspan  
Paul Major  
John Bennett  
Glen VanNimwegen  
Lexi Tuddenham  
Paul Pettee  
Doug Tueller  
Elizabeth Stuffings

**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 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 8:35 a.m.

Council returned to regular session at 9:34 a.m.

**Public Comment for Non-Agenda Items (3)**

No public comment was received.

**Consideration of Approval of Minutes of the April 20, 2017 Regular Town Council Meeting (4)**

On a **MOTION** by Dan Caton and seconded by Cath Jett, Council voted unanimously to approve the April 20, 2017 meeting minutes with the following amendments:

Agenda item # 17 added: *"Consensus was that TSG should maintain a "prestige" or higher end brand focus".*

Agenda item # 19 added: *"Council acknowledged Mr. Van Nimwegen's impending departure and thanked him for his great work for the town".*

Agenda item # 20b added: “CFA has one of the highest levels of growth of capacity (i.e. seats) in the Rocky Mountain resort town communities”.

Agenda item # 20l added: “noted that even large cities like Denver face similar issues as we do including workforce housing, health care and others”.

**Consideration of a Proclamation Declaring May “Sexual Assault Awareness Month” – with San Miguel Resource Center (5)**

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

Council moved to items 8 and 9

**Consideration of a Resolution Setting Forth the Parking Fund Buyout Amount for Parking Payment in Lieu (6)**

Assistant Town Attorney Jim Mahoney presented the above item and stated that pursuant to the CDC, (Community Development Code) an applicant may apply to the Town to make a payment to the Town’s Parking Fund in lieu of constructing required parking on the site where the Town determines that parking cannot be satisfied on that particular site. The CDC states that the parking payment in lieu fee is to be determined on a case by case basis. However, the Town Council has determined that it is in the best interest of the town to set forth a parking payment in lieu fee based current factors and pricing by Resolution as has been done in the past in order to provide cost certainty to applicants. Council discussion ensued and public comment was received by Tom Kennedy. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted 4-1, with Cath Jett dissenting, to set the parking payment in lieu at \$40,000 per required space and direct that the Resolution presented be adopted at said rate and revisited every two years.

**Finance: (7)**

**a. Presentation of the April 30, 2017 Business & Government Activity Report (BAGAR)**

Finance Director Kevin Swain presented the above item stating that a revised BAGAR was distributed and added to the packet as there had been some incorrect numbers regarding the sewage effluent. Council discussion ensued.

**b. Consideration of the March 31, 2017 Financials**

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to accept the March 31, 2017 financials.

**c. Goal Setting for 2018 Budget**

Dan Caton presented the above item highlighting the 2018 budget goals:

- Forecast revenue growth conservatively or flat in light of the expected impact of the Gallagher Amendment on property valuation for property tax assessments
- The bulk award of grant funds should be held to a total amount not exceeding the grant funding in the 2017 budget
- Using the most current information provided by the Town of Telluride, continue to plan for the financial impact of the wastewater treatment plant upgrade and expansion
- Consider making compensation adjustments that come to light as a result of the wage and compensation study the Town will complete this summer

Council discussion ensued regarding the THSMP (Town Hall Subarea Master Plan) and the funds needed to move forward. Council consensus was to budget \$150,000 in additional funding for the THSMP development plans. Council discussed creating a welcome brochure for people new to town to help them find who to contact for information. Council directed staff to investigate the cost of producing an informational brochure to be provided to homeowners, visitors and businesses detailing local services and resources.

Other budget initiatives included:

- Providing adequate funding for the wayfinding project
- Funding to freshening up the core (i.e. the climbing rock, pond, etc.)

- Core subarea planning in conjunction with the Merchants Association. Council directed staff to put a \$75,000 placeholder in the budget and then initiate discussions with TMVOA (Telluride Mountain Village Owner's Association)
- Funding for the VCA (Village Court Apartments) conversion from electric to natural gas and VCA build-out
- Council directed staff to put a \$50,000 placeholder in the budget for more trails and paths including planning for trail connectivity
- Consider solar power on the roofs in the Core

Mr. Swain will incorporate all the suggestions into the draft budget.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Adopt the 2017 National Electric Code with Amendments (8)**

Building Official Randy Kee presented the above item stating that the 2017 National Electric Code will be adopted by the State in July, and the Town typically adopts the code prior to that date. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Cath Jett, Council voted unanimously (5-0) to approve on first reading an Ordinance to Adopt the 2017 National Electric Code with Amendments as presented and to set the second reading, public hearing and final vote for June 20, 2017.

**Discussion Regarding Moving Chapter 17.7 Building Regulations of the CDC to a New Chapter of the Municipal Code (9)**

Randy Kee presented the above item stating that both Council and staff have the desire to make doing business with the Town as easy as possible for our citizens. Documents necessary for the development community to conduct business should be easily accessed by those interested. After fielding numerous communications regarding concern over the size of the CDC (Community Development Code), staff polled communities such as Montrose, Aspen and Telluride to determine how their Building Codes and amendments were structured. These communities all include their Building Codes in their associated Municipal Code. Staff is proposing replicating this style in order to make the code amendments easier to access by members of the development community, thus making it easier to reference and less time consuming for staff to carry through the adoption process. This proposal was discussed with the DRB (Design Review Board) and the members of the DRB made a motion on May 4, 2017 to remove the Building Codes, amendments and regulations from the CDC, and place into the Municipal Code. Council was unanimously in support of the move.

Back to item 6

Skipped to 11

**Consideration of a Resolution Approving a Conditional Use Permit for Renewal of a Ropes Course on Lot OS-3U (10) Quasi-Judicial**

Planner Sam Starr presented the above item. Scott Butler from Gravity Play addressed Council and stated that he would like to extend the CUP (Conditional Use Permit) for another three years. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Bruce MacIntire, Council voted unanimously to adopt a Resolution approving a Conditional Use Permit for renewal of a Ropes Course on Lot OS-3U with following conditions:

1. The Applicant shall maintain adequate bike traffic access from the bottom of the bike park to the Village Center plazas by working with plaza services to explore the option of rerouting mountain bicyclists for the safety of ropes course attendees and trail users. Additional options include exploring a range of fencing materials.
2. The Applicant shall secure the structure, including, without limitation, the pool, ladders, and other elements that might attract public access when closed.
3. In the event of water limitations or restrictions, the Applicant shall close the pool portion of the ropes course structure.

4. The Applicant shall re-surface all disturbed areas with landscaping and provide seating for spectators.
5. The Applicant shall provide an erosion control and drainage plan to ensure protection of the wetlands in the surrounding area.
6. The applicant shall revise the site and grading plan to have appropriate finished grade material, benches and simple landscaping to improve the appearance of the ropes course, site grading and the existing condition of the site.
7. The Conditional Use Permit shall be valid for a period of three years (3) with an annual review by the Planning Division staff, with the applicant responding to any valid issues as they arise during operation or the annual review.
8. Pending input from future plaza plans, applicant shall remain flexible to move additional programming into Sunset Plaza and/or Telluride Conference Center Plaza.

Moved to agenda item 19

**Approval of the Town of Mountain Village Gunnison Valley Transportation Planning Region (GVTPR) Intergovernmental Agreement (11)**

Jim Mahoney presented the above item stating that within the State of Colorado there are fifteen Transportation Planning Regions (TPRs) of which the Town of Mountain Village is a contributing member of the GVTPR (Gunnison Valley Transportation Planning Region). The GVTPR has been operating under the same IGA since its inception over 20 years ago. Region 10 administers the GVTPR, which is responsible for the development of the 20-year Regional Transportation Plan, as well as producing annual updates. Region 10 has requested that all contributing members execute a Certificate of Participation in the form of an updated IGA. Council discussion ensued whether or not SMART can be included in the plan. Council directed staff to investigate. On a **MOTION** by Bruce MacIntire and seconded by Dan Caton, Council voted unanimously to approve the Town of Mountain Village Gunnison Valley Transportation Planning Region Intergovernmental Agreement as presented.

Moved back to item 10

**Council took lunch from 12:14 p.m. to 12:32 p.m.**

**Village Court Apartments Rezoning and Density Transfer, 415 Mountain Village Boulevard: (12)**

**a. First Reading, Setting of a 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. Public comment was received by Doug Tueller who represents the Evans Family Trust (Steve Evans). Council discussion ensued. On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council voted 5-0 to pass on first reading 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); subject to the following conditions:

1. The final location and design of the building, grading, landscaping, parking areas and other site improvements shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC, including but not limited to the Design Regulations, except:
  - a. The buildings to be located where the existing shop and storage units are currently located shall be limited to two stories or 30 feet; and shall not have outside decks facing Tract OS1R3 or OS1R1 respectively; and

- b. The applicant may seek certain variations to the Design Regulations such as the percent of stone, roofing material, window materials or other similar variations as are typically granted for employee housing projects; and
  - c. Parking shall be provided at a minimum ratio of one (1) space per unit.
  - d. Prior to second reading, staff shall complete the wetland delineation adjacent to the site to determine if an additional building is viable between the wetland and VCA east of Building P, and the viability of proposed Building P. In the event Building P is viable Town Council may consider further reductions and/or elimination to the buildings at the existing shop and storage units.
2. The proposed density shall not exceed 292 employee condo/apartment units and the general location of the buildings shall remain substantially as shown in the conceptual plans.
  3. Staff shall further evaluate options to bring the ratio above 1 to 1, but below 1.5 per space.
  4. The Employee Housing Deed Restriction that exists on the property shall be extended to include the additional 70 units.

**b. Consideration of a Resolution Approving a Conditional Use Permit for 48 Employee Apartments or Condominium Units on Lot 1001R**

Glen Van Nimwegen presented the above item. On a **MOTION** by Cath Jett and seconded by Laila Benitez, Council voted to adopt a Resolution approving a Conditional Use Permit for 48 employee apartments or condominium units on Lot 1001R subject to the above Ordinance becoming effective.

**Joint Discussion with the Town Hall Subarea Planning Committee Regarding the Proposed Plan and Amendment to the Comprehensive Plan (13)**

Glen Van Nimwegen and Anton Benitez presented the final recommendations for the plan stating that it will be presented for approval at the June 20, 2017 Town Council meeting. The next step in the process will be to change the current land use plan, put in place a new MOU (Memorandum of Understanding) between the three partners, and move on to the next phase without losing momentum. The replacement chapter will be distributed prior to the June Town Council meeting once finalized. Once approved, the new chapter will replace the Town Hall Center Subarea chapter in the Comprehensive Plan.

**Community Grant Program: (14)**

**a. Consideration of Amendments to the Grant Committee Bylaws and Guidelines**

Mayor Jansen recused himself from the discussion and vote because he is a member of the Telluride Foundation Board. Laila Benitez presented the guidelines and bylaws with the changes noted in the packet materials. The goal of the Community Grant Program is to help to support a strong and robust Mountain Village community. On a **MOTION** by Cath Jett and seconded by Dan Caton, Council voted unanimously to approve the amendments to the Grant Committee Bylaws and Guidelines.

**b. Consideration of an MOU with the Telluride Foundation for Grant Administration (Continued from the April 20, 2017 Town Council Meeting)**

President and CEO of Telluride Foundation Paul Major addressed the proposed ten percent fee stating that it is based on the multiple layers created to follow through an extensive process. Council discussion ensued and Ms. Benitez requested the fee be reduced to seven and a half percent for one year with a reassessment after one year and with a three year commitment subject to governmental appropriations. On a **MOTION** by Bruce MacIntire and seconded by Cath Jett, Council voted unanimously to approve an MOU with seven and a half percent fee and three year commitment.

**Consideration of Authorization of a Budget Transfer for Acquisition of a New Boiler for Sunset Plaza/Blue Mesa Parking Lot Snowmelt System (15)**

Finn Kjome presented stating that the engineer underestimated the size of the boiler adequate for the snow melt system. Proset Construction working with SGM (snowmelt engineer) provided three options to rectify the shortage of heat for the Sunset Plaza snowmelt system. Staff determined that option one was the better option for the Town. This option involves a new standalone snowmelt system with new vault to house the new boiler and pumps. The existing system will remain "as is" for the Blue Mesa Parking lot. The cost is estimated to be \$150,000 or less. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded

by Cath Jett, Council voted unanimously to authorize a budget transfer for acquisition of a new boiler for Sunset Plaza/Blue Mesa Parking lot snowmelt system.

David Reed left the meeting at 2:34 p.m.

**Consideration of a Letter of Support for the San Juan Mountains Wilderness Act (16)**

Lexie Tuddenham Executive Director of Sheep Mountain Alliance presented, requesting Council approve a letter of support for the San Juan Mountains Wilderness Bill. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Dan Caton, Council voted unanimously to approve a letter of support for the San Juan Mountains Wilderness Act to Senator Michael Bennet, Senator Cory Gardner and Representative Scott Tipton.

**Update by the San Miguel Watershed Coalition on the Upper San Miguel Basin Forest Health Landscape Assessment (17)**

Elizabeth Stuffings presented the above item stating that the specific areas of concern are:

- Priority resource areas for the community;
- Stands of Aspen, Spruce/Fir, or Douglas Fir that should be protected;
- Important cultural or historical sites that should be noted;
- Constraints for active management in areas of concern.

Ms. Stuffings' role in this project is to coordinate all of the stakeholder outreach listed in the memo. Other team members are Aaron Kimple and Marcie Bidwell of Mountain Studies Institute; Jason Sibold, Colorado State University and Hilary Cooper, San Miguel County.

On a **MOTION** by Laila Benitez and seconded by Dan Caton, Council voted unanimously to extend the meeting beyond 6 hours.

**Staff Reports: (18)**

**a. Public Works**

Director Finn Kjome presented his report and stated that the Maintenance Building Shop was severely damaged in a wind storm that brought down a large tree and landed on the roof. The Meadows Improvement Plan summer projects will begin in June and the remainder of Mountain Village Blvd. is scheduled to be chip sealed (everything but upper Mountain Village Blvd.) The Wayfinding project is underway and three directories have been removed with new smaller stone monuments being erected.

**b. Town Manager**

Ms. Montgomery stated that the April Great Services Award went to Brooke Napier at Mountain Munchkins. Ms. Napier has worked very hard since the day she began working at Mountain Munchkins in December 2015. She continues to work extra hours each week, while encouraging and supporting her staff to do their best. As a supervisor, she is constantly searching for new strategies and ideas on how to make Munchkins better; not just for the kids but for the staff too. She fills in when nobody else can and deals with the continuous staff turnover with patience and professionalism. Brooke is a true asset to the Mountain Munchkins team and the Town.

**Council Boards and Commissions Updates: (19)**

**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) is on an off season hiatus from flights with maintenance and repairs being performed. The Montrose Regional Airport outdoor baggage claim area is functional and will enhance luggage pick-up for shuttle vans. The C approach into TEX is continuing to advance through the FAA process but may not be ready for the summer season.

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

Laila Benitez stated that there has been no activity with this committee. Kim Montgomery stated that fourteen percent of the parking transactions are being made on the Park Mobile App.

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

There was no update.

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

There was no update although a meeting is planned for May 23<sup>rd</sup>, 2017 at TMVOA at 3:00 pm.

**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 they will begin the interview process of 4 candidates on June 24<sup>th</sup>. SMART is working on surveying and data capture.

**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**

Bruce MacIntire stated that the committee hired an appraiser and has been in discussions with TSG about purchasing the facility. The appraisal will be presented to Council once received.

**k. Multi-Cultural Advisory Committee-Benitez**

Ms. Benitez stated that the committee is looking to hold weekly community events and is considering utilizing the Town Hall Conference Room.

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

Kim Montgomery stated that at the recent Intergovernmental work session; the impact of the Gallagher Amendment on funding was discussed. Town Attorney David Reed stated that there has been some discussion regarding recalculating the Gallagher Amendment and suggested talking with State Representatives. Council consensus was to invite State Representatives to present to Council. Town of Telluride is working on opening a child care facility in the old Toddler Town space at Shandoka. It will not include infant care at this time. Council discussed the possibility of a regional childcare program similar to SMART. The Mayor stated that there has been some discussion on what to do with the Pandora (Idarado) Mill. He stated that there are three choices: demolish the building; clean it up and reinforce it, or open it up for tours once it is deemed safe. The Mayor added that the County is considering managing broadband in the area as Century Link does not appear to be making advances.

The Mayor shared that he had been approached by Patagonia who was interested in utilizing the gondola cabins to promote their ideals over Mountain Film Weekend. The Town was concerned over setting a precedent of free speech that may become problematic (i.e. safety issues). The Town offered other Town public spaces such as the plazas for their promotion but Patagonia respectfully declined but appreciated the offer. The Mayor mentioned that the June 20<sup>th</sup> Town Council meeting will be the last meeting for outgoing Council members Cath Jett, Marty McKinley and Michelle Sherry and that their service will be recognized during the meeting.

Council returned to item 10

**Other Business (21)**

There was no other business.

There being no further business, on a **MOTION** by Cath Jett and seconded by Dan Caton, Council unanimously agreed to adjourn the meeting at 3:13 p.m.

Respectfully prepared,



Susan Johnston  
Deputy Town Clerk

Respectfully submitted,



Jackie Kennefick  
Town Clerk

