



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 JULY 18, 2019 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:35 a.m. on Thursday, July 18, 2019 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 Caton, Mayor Pro Tem  
Jack Gilbride  
Natalie Binder  
Pete Duprey  
Marti Prohaska  
Patrick Berry

#### Also in attendance were:

Kim Montgomery, Town Manager  
Jackie Kennefick, Town Clerk  
Susan Johnston, Deputy Clerk  
Christina Lambert, Deputy Clerk  
David Reed, Town Attorney  
Jim Mahoney, Assistant Town Attorney  
Chuck Tomlinson, Human Resources Coordinator  
Sue Kunz, Director of Human Resources  
Chris Broady, Chief of Police  
Kevin Swain, Finance Director  
Julie Vergari, Chief Accountant  
Bill Kight, Director of Communications & Business Development  
Zoe Dohnal, Community Engagement Coordinator  
Kathrine Warren, Marketing & Communications Coordinator  
Michelle Haynes, Director of Planning and Development Services  
John Miller, Senior Planner  
Jim Soukup, Chief Technology Officer  
Sam Starr, Planner  
Finn Kjome, Director of Public Works  
Jim Loebe, Director of Transit and Recreation  
Coben Rosen  
Lynn Kiklevich  
Brian Eaton  
Pete Mitchell  
John Horn  
Carol Hintermeister  
Chris Hazen  
Tom Kennedy  
Jeff Raymond  
Jim Parker  
David Averill  
James McMorran

Jonathan Greenspan  
Tim Johnson  
Anton Benitez  
Elodie Jacobson  
Julia Caulfield  
Herb McHarg  
Robert Stenhammer  
Larry Crosby  
Tom Richards  
Cath Jett  
Tom Umbhau  
Chris Hawkins  
Dylan Henderson  
Malle Baldwin  
Doug Tooley  
Michael Kettell  
Kelli Duprey  
Stefanie Solomon  
Carlotta Horn  
William Valaika  
Lisa Boyce  
TD Smith  
Shari Mitchell  
David Ballode  
Hank Hintermeister  
Chris Sommers  
Jeff Proteau  
Bill Jensen  
Lee Anne Pilson  
Joyce Huang  
Ellen Kramer

**Administration of Oath of Office to Newly Elected Council Members (2)**

Town Clerk Jackie Kennefick administered the Oath of Office to the newly elected Council members Laila Benitez, Dan Caton, Peter Duprey and Marti Prohaska.

**Election of Mayor and Mayor Pro-Tem (3)**

Mayor Benitez turned the meeting over to Mayor Pro Tem Dan Caton. Mr. Caton called for nominations for the position of Mayor. Jack Gilbride nominated Laila Benitez for the position of Mayor. There were no other nominations. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted unanimously to appoint Laila Benitez as Mayor of the Town of Mountain Village. Jackie Kennefick administered the Mayoral Oath of Office. The Mayor called for nominations for the position of Mayor Pro Tem. Patrick Berry nominated Dan Caton. There were no other nominations. On a **MOTION** by Patrick Berry and seconded by Pete Duprey, Council voted unanimously to appoint Dan Caton to the position of Mayor Pro Tem. Jackie Kennefick administered the Mayor Pro Tem Oath of Office.

**Consideration of Adoption of Rules of Conduct for Meetings and General Business (4)**

Jackie Kennefick presented. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt the Rules of Conduct for Meetings and General Business as presented.

**Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(4)(b), for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e (5)**

On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(4)(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 8:44 a.m.

Council returned to regular session at 9:50 a.m.

Council took a break from 9:50 a.m. to 9:59 a.m.

**Public Comment on Non-Agenda Items (7)**

There was no public comment.

**Council Boards and Commissions Updates: (8)**

- a. **San Miguel Watershed Coalition-Starr**
- b. **Colorado Flights Alliance**
- 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 -Benitez/Caton/Binder**
- h. **Eco Action Partners-Berry**
- i. **Telluride Historical Museum-Berry**
- j. **Telluride Conference Center-MacIntire**
- k. **Alliance for Inclusion-Berry/Benitez**
- l. **Green Team Committee- Berry/MacIntire**
- m. **Telluride Tourism Board-Jansen**
- n. **Community Grant Committee-Benitez/Binder**
- o. **Mayor's Update- Benitez**

**Council Boards and Commissions Appointments (9)**

- a. **San Miguel Watershed Coalition-(One Council Member or Staff)**

Council appointed Planner Sam Starr to the Board.

- b. **Transportation & Parking – (Two Council Members)**

Council appointed Pete Duprey and Laila Benitez to the committee.

- c. **Budget & Finance Committee – (Two Council Members)**

Council appointed Jack Gilbride and Pete Duprey to the Board.

- d. **Gondola Committee (Two Council Members)**

Council appointed Patrick Berry and Dan Caton to the committee.

**e. Colorado Communities for Climate Action – (One Council Member)**

Council appointed Patrick Berry to the Board.

**f. San Miguel Authority for Regional Transportation (SMART)-  
(Three Council Members – Two Regular and One Alternate Seat)**

Council appointed Marti Prohaska and Dan Caton to the regular seat and Laila Benitez to the alternate seat.

**f. Eco Action Partners – (Two Council Members - One Regular and One Alternate Seat)**

Council appointed Patrick Berry to the regular seat and Marti Prohaska as the alternate.

**g. Telluride Historical Museum- (One Council Member)**

Council appointed Marti Prohaska to the Board.

**h. Telluride Conference Center – (Two Council Members)**

Council appointed Natalie Binder and Jack Gilbride to the committee.

**i. Alliance for Inclusion – (One Council Member)**

Council appointed Natalie Binder to the Board.

**j. Green Team Committee- (Two Council Members)**

Council appointed Patrick Berry and Marti Prohaska to the committee.

**k. Ethics Commission- (Two Council Members)**

Council appointed Dan Caton and Peter Duprey to the commission.

**l. Mountain Village Condominium Association (One Council Member)**

Council appointed Pete Duprey to the Board.

**m. Grant Committee (Two Council Members)**

Council appointed Natalie Binder and Laila Benitez to the committee.

**n. Colorado Flights Alliance (One Council Member)**

Council appointed Jack Gilbride to the Board.

**Consideration of Telluride Regional Airport Authority (TRAA) Appointments: (10)**

Applicants Larry Crosby and Tom Richards addressed Council and expressed their interest in serving on the TRAA Board. Council discussion ensued.

**a. One Regular Seat to Replace Jon Dwight's Vacated Seat Which Expires August 2022**

On a **MOTION** by Jack Gilbride and seconded by Marti Prohaska, Council voted unanimously to appoint Richard Child to fill Jon Dwight's vacated seat which expires August 2022.

**b. One Regular Seat for a Four Year Term**

On a **MOTION** by Dan Caton and seconded by Natalie Binder, Council voted unanimously to appoint Larry Crosby to the regular seat for a four-year term expiring August 2023.

**c. One Alternate Seat for a Four Year Term**

On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to appoint Tom Richards to the alternate seat for a four-year term expiring August 2023.

**Consideration of Approval of the June 13, 2019 Regular Town Council Meeting Minutes (11)**

Deputy Clerk Susan Johnston presented. Patrick Berry abstained because he was absent from the June meeting. New Council members Marti Prohaska and Pete Duprey abstained from the vote as they were not present at the June meeting. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 4-0 to approve the June 13, 2019 Regular Town Council meeting minutes as presented.

**Liquor Licensing Authority: (12)**

**Consideration of an Application for a Special Event Liquor Permit for the Telluride Art & Architecture for Events at Five Locations on July 21, 2019 from 10:00 a.m. to 7:00 p.m. Quasi-Judicial**

Susan Johnston presented. Natalie Binder recused herself because her employer manages one of the locations for the event. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve an application for a Special Event Liquor Permit for the Telluride Art & Architecture for events at five locations on July 21, 2019 from 10:00 a.m. to 7:00 p.m.

**Finance: (13)**

Director of Finance Kevin Swain presented. Council discussion ensued.

**a. Presentation of the June 30, 2019 Business & Government Activity Report (BAGAR)**

Council directed staff to add monthly reportable injuries and month to month variance columns to the BAGAR.

**b. Consideration of the May 31, 2019 Financials**

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the May 31, 2019 Financials as presented. Council directed staff to agendize a work session to discuss appropriate building fees at a future meeting.

**Green Team Quarterly Report (14)**

Cath Jett presented the report. Council discussion ensued.

**Consideration of a Resolution Adopting an Initiative for Voluntary Single Use Plastics Reduction (15)**

Community Engagement Coordinator Zoe Dohnal presented. Jonathan Greenspan provided public comment. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to approve a Resolution adopting an initiative for voluntary single use plastics reduction and to add metrics for measuring the success of the program.

**First Reading, Setting of a Public Hearing, and Council Vote on an Ordinance Approving a Density Transfer and Rezone for Lot 1001R, 415 Mountain Village Blvd, Village Court Apartments (16)**

**Quasi-Judicial**

Senior Planner John Miller presented. Council discussion ensued. Tom Umbhau, a principal with the Bauen Group Architectural Firm, addressed Council and explained that the increase in building height is due to the modular construction. On a **MOTION** by Jack Gilbride and seconded by Natalie Binder, Council voted 7-0 to approve on first reading an Ordinance regarding the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lot 1001R and transfer seven employee apartment density units (21-person equivalent density) to the subject lot based on the evidence provided within the Staff Report of record dated

May 21, 2019 and with the following conditions:

1. The final location and design of any buildings, 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.
2. The general location of the buildings shall remain substantially as shown in the rezoning plan set submitted by the applicant, made part of the record of these proceedings and approved herein.
3. The requisite Employee Apartment Density is hereby created and placed on Lot 1001R.

The motion is based on the evidence and testimony provided at a public hearing held on July 18, 2019 with notice of such hearing as required by the Community Development Code. The second reading, public hearing and final vote will take place at the August 15, 2019 Town Council meeting.

**Consideration of a Resolution Approving a Variance to the Community Development Code Requirements for Lot 1001R to Allow Deviations from the Maximum Building Height, 415 Mountain Village Blvd, Village Court Apartments (17) Quasi-Judicial**

John Miller presented. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to approve a variance to increase the maximum building heights for the East and West buildings within the VCA expansion, to 70'-8" and 60'-8", respectively, located at Lot 1001R - subject to the development of the apartments being in substantial conformance to what was approved by the Design Review Board, and consistent with the findings stated within the staff memo of record dated July 3, 2019.

**Council took a break for lunch from 11:52 a.m. to 12:17 p.m.**

**Consideration of Approval of the Contractor for Fiber Construction Phase 1 (18)**

Chief Technology Officer Jim Soukup presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted unanimously to approve Lightworks Fiber and Consulting, LLC as the contractor for Fiber Construction Phase 1 and authorize the Mayor to sign the contract.

**Consideration of Approval of the Technology Subcommittee Recommendation to add a Staff Position of Technician-Broadband Systems Including Allocation of Funds for the Position (19)**

Jim Soukup presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Pete Duprey, Council voted unanimously to approve the Technology Subcommittee recommendation to add a staff position of Technician-Broadband systems including allocation of funds for the position.

**Consideration of Authorization for Town Staff to Draft a Contract with Telluride Ski Ranches Association Regarding Fiber Construction and Service (20)**

Jim Soukup presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Natalie Binder, Council voted unanimously to authorize Town staff to draft a contract with Telluride Ski Ranches Association regarding fiber construction and service and allow the Technology Committee, Budget & Finance Committee and the Mayor to review; authorizing the Mayor to execute the contract after the final review.

Council moved to agenda item 29.

**Consideration of a Resolution Approving a Class 5 Development Application to Develop Skier Access to Ski Area by the General Easement Through an Intervening Lot, Lot 374R, 539 Benchmark Drive (21) Quasi-Judicial**

John Miller presented. Patrick Berry recused himself due to his employment with Telski. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to continue this item until the August 15, 2019 TC meeting.

**Conceptual Work Session for a Proposed PUD Rescission and Density Transfer / Rezone to Reduce Density on Lots 126R and 152R (Historically Referred to as the Rosewood PUD) and Preliminary Design Review for the Proposed Lot 152R Development (22)**

John Miller presented. Jim Mahoney presented an explanation of how the PUD process works. Chris Hawkins with Alpine Planning LLC representing the property owner, presented the preliminary design. Public comment was received by Hank Hintermeister, John Horn, Sherri Mitchell, Casey Rosen, Allen Zafety, Carlotta Horn, Carol Hintermeister, Lisa Boyce, Douglas Tooley, James McMorran, and William Blake. Council discussion ensued. Council direction to the property owner was to amend/modify the PUD application with a collaborative and transparent process to determine appropriate usage of this property. (i.e. traffic study, wetland study, commercial impact of construction) The current PUD would remain in effect.

**Presentation of the Town of Mountain Village Maintenance Building Renovation Proposal (23)**

This item was continued to the August 15, 2019 Town Council meeting.

On a **MOTION** by Marti Prohaska and seconded by Pete Duprey Council voted unanimously to extend the meeting past 6 hours.

**Consideration of Adding a Phosphate Blend to the Town's Drinking Water System to Reduce Copper Levels at the Telluride Regional Wastewater Treatment Plant (24)**

Director of Public Works Finn Kjome, Bill Frownfelter of Russell Planning & Engineering and Mark Dahm of Alan Plummer Associates presented. Public comment was received by Joyce Huang of the Town of Telluride, Jim Parker and Lee Anne Pilson. Council discussion ensued. Concerns were raised and Council consensus was that additional health and safety information was needed before a decision could be made. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted unanimously to continue this item to the September Town Council meeting.

**Presentation of the Draft Trails Master Plan by Alta Planning + Design (25)**

**• Telluride Connector Trail Discussion**

Director of Transit and Recreation Jim Loebe and Alta Planning+ Design Consultant Dave Foster presented. Council discussion ensued regarding how to present the plan to the public. Council directed staff and the consultant to prioritize options based on safety and value and to make recommendations for short term and long-term opportunities. Public comment was received from David Averill, Cath Jett and Lee Anne Pilson.

Discussion on the O'Reilly Trail 2012 proposal ensued. Council direction was for Mr. Loebe to move forward with the planning of the O'Reilly Trail and once agreements are drafted, present them to Council.

**Consideration of Approval to Adopt the Town's Updated Title VI Plan for Transit Grants (26)**

Jim Loebe presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the adoption of the Town's updated Title VI Plan for Transit Grants.

Natalie Binder left the meeting at 4:40 p.m.

**Report on June Colorado Municipal League Conference (27)**

This item was continued to the August meeting.

**Staff Reports: (28)**

**a. Technology and Broadband Services**

**a. 2019 Budget Discussion**

Jim Soukup presented his report and budget.

**b. Marketing & Business Development**

**a. 2019 Budget Discussion**

Director of Communications and Business Development Bill Kight presented his report and budget.

**c. Town Manager**

Kim Montgomery presented her report.

Patrick Berry asked that staff reports be moved to earlier in the meeting going forward.

**Consideration of Authorizing the Mayor to Execute a Contract with a Cyber Security Firm Recommended and Selected by the Technology Committee (29)**

Jim Soukup presented. On a **MOTION** by Marti Prohaska and seconded by Pete Duprey, Council voted unanimously to authorize the Mayor to execute a contract with a cyber-security firm recommended and selected by the Technology Committee.

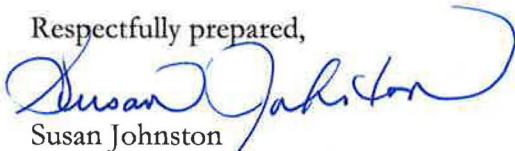
Council moved back to agenda item 21.

**Other Business: (30)**

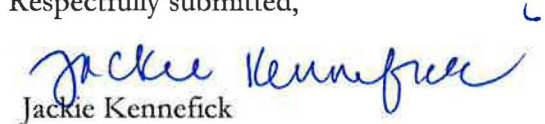
There was no other business.

There being no further business, on a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to adjourn the meeting at 5:02 p.m.

Respectfully prepared,

  
Susan Johnston  
Deputy Town Clerk

Respectfully submitted,

  
Jackie Kennefick  
Town Clerk