



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE AUGUST 15, 2019 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:31 a.m. on Thursday, August 15, 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
Patrick Berry
Natalie Binder
Pete Duprey
Marti Prohaska

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
Sarah Abbott, Associate Town Attorney
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, Business Development and Sustainability Manager
Kathrine Warren, Marketing & Communications Coordinator
Michelle Haynes, Director of Planning and Development Services
John Miller, Senior Planner
Sam Starr, Planner
Finn Kjome, Director of Public Works
Jim Loebe, Director of Transit and Recreation
Virginia Howard
David MacKown
Bill Jensen
Clifford Pastor
Mike Theile
Jim Parker

Michael Rosenfeld
Tim Johnson
Richard Child
John Fortner
Robin Wolff
Lisa Hemann
Carly Shaw
Garrett Brafford
Marc Flitter
Amy Allison
Anne Reissner
Marsha Raeber
Eric Wheeler
Nick Edwards
Anton Benitez
Julia Caulfield
Karey Van Duzer
Sue Berg
Rudy Sharp
Ann Ricciardelli
Keith Brown
Liz Caton
Chris Clemmons
Lee Anne Pilson

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 (2)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, 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 8:32 a.m.

Council returned to regular session at 9:30 a.m.

Council took a break from 9:30 a.m. to 9:38 a.m.

Public Comment on Non-Agenda Items (4)

There was no public comment.

Consideration of Approval of the July 18, 2019 Regular Town Council Meeting Minutes (5)

Deputy Clerk Susan Johnston presented. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to approve the July 18, 2019 Regular Town Council meeting minutes with the change noted by Peter Duprey to agenda item 22 regarding a proposed PUD rescission and density transfer/rezone to reduce density on Lots 126R and 152R; stating that the PUD would remain in effect.

Consideration of a Proclamation Declaring the Month of September Suicide Prevention Awareness Month (6)

Town Clerk Jackie Kennefick presented. Natalie Binder read the Proclamation. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to adopt a Proclamation declaring the month of September Suicide Prevention Awareness Month.

Liquor Licensing Authority: Quasi-Judicial (7)

a. Consideration of an Application for a Special Event Liquor Permit by Telluride Council for the Arts & Humanities for an Event at Wagner Skis on August 31, 2019 from 1:00 p.m. to 5:00 p.m.

Susan Johnston presented. Council directed the Legal Department to research and draft an ordinance broadening the scope of administrative approvals for liquor permit applications. 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 Council for the Arts & Humanities for an event at Wagner Skis on August 31, 2019 from 1:00 p.m. to 5:00 p.m.

b. Consideration of an Application by Telski Food and Beverage Services, LLC dba Tomboy Tavern to Add an Optional Premises (Portion of The Ridge Club) to Their Existing Hotel & Restaurant with Optional Premises Liquor License

Susan Johnston presented. Patrick Berry recused himself due to his employment with Telski. On a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted unanimously to approve an application by Telski Food & Beverage Services, LLC dba Tomboy Tavern to add an Optional Premise (portion of The Ridge Club) to their existing Hotel & Restaurant with optional premises liquor license.

Staff Reports: (8)

a. Human Resources

Director of Human Resources Sue Kunz welcomed new employee Charles "Chuck" Tomlinson, HR Coordinator and presented her report. Discussion ensued regarding the Town creating a succession policy and adding a Council representative to the Safety Committee. Pete Duprey volunteered to attend the committee meetings.

b. Communications & Business Development

a. 2019 Budget Discussion

Director of Communications and Business Development Bill Kight presented his report and budget. Council directed Mr. Kight to summarize his report in the future highlighting priorities with bullet points.

Council moved to agenda item 9.

c. Town Manager

Kim Montgomery presented her report.

Consideration of Appointments: (9)

a. Ethics Commission

a. One Regular Seat for a Two-Year Term

b. One Alternate Seat for a Two-Year Term

Jackie Kennefick presented stating that there were four applicants (Richard Child, Michael Rosenfeld, John Fortner and Landon Ogilvie): Richard Child, Michael Rosenfeld and John Fortner addressed Council and stated their interest in serving on the Commission. Council voted by open ballot resulting in Richard Child receiving the most votes for the regular seat and a tie for the alternate seat. Council initiated a second vote for the alternate seat. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to appoint Richard Child to the regular seat for a two-year term and Michael Rosenfeld to the alternate seat for a two-year term both expiring July 2021.

b. Mountain Village Community Grant Committee

Jackie Kennefick presented. Dan Caton recused himself as the applicant is his wife. Liz Caton thanked Council for the opportunity to serve on the committee in the past and stated her reasons for wanting to continue. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to appoint Liz Caton to the regular seat for a two-year term expiring July 2021.

c. Mountain Village Business Development Advisory Committee

a. One Member of TSG (Telluride Ski & Golf)

b. One Member of TMVOA (Telluride Mountain Village Owners Association)

Bill Kight presented. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to appoint Sherri Reeder as the representative for Telluride Ski and Golf and Garrett Brafford as the representative for TMVOA; both for two-year terms.

Finance: (10)

Director of Finance Kevin Swain presented. Council discussion ensued.

a. Presentation of the July 31, 2019 Business & Government Activity Report (BAGAR)

Council discussion ensued. Council directed staff to delete the year to date information for 2019 and 2018 on cable and internet subscribers and to note on the employee shuttle line item that the item is a "SMART funded employee shuttle".

b. Consideration of the June 30, 2019 Financials

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the June 30, 2019 Financials as presented.

c. Presentation of the 2018 Auditors Report and 2018 Comprehensive Annual Financial Report

Kevin Swain along with Lisa Hemann, Principal in charge of the Town's audit at Chadwick, Steinkirchner and Davis, P.C. presented. Council directed staff to determine the estimated useful life for depreciating cable equipment.

Second Reading, Public Hearing, and Council Vote on an Ordinance Approving a Density Transfer and Rezone for Lot 1001R, 415 Mountain Village Blvd, Village Court Apartments Quasi-Judicial (11)

Senior Planner 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 Natalie Binder and seconded by Pete Duprey, Council voted 7-0 to adopt an Ordinance approving 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 July 30, 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.

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 (This Item was Continued from the July meeting. Council to open only for the purposes of continuing to the September 19, 2019 regular meeting) (12)

On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to continue a Resolution approving a Class 5 development application to develop skier access to ski area by the General

Easement through an intervening Lot, at Lot 374R, 539 Benchmark Drive to the September 19, 2019 Town Council meeting.

First Reading, Setting a Public Hearing and Council Vote on an Ordinance Regarding a Density Transfer and Rezone Located at Lot 30, 98 Aspen Ridge, Building 100; to Convert a Portion of a Commercial Unit to an Employee Apartment (13)

John Miller presented stating that the owner of Lot 30 requested that this item be continued to the September Council meeting. On a **MOTION** by Jack Gilbride and seconded by Marti Prohaska, Council voted unanimously to continue the first reading of an Ordinance regarding a density transfer and rezone located at Lot 30, 98 Aspen Ridge, Building 100; to convert a portion of a commercial unit to an employee apartment to the September 19, 2019 Town Council meeting.

Consideration for Consent to Include a Portion of OS-1-E in an Application by the Telluride Mountain Village Homeowner's Association (TMVOA) to Adjust the Lot Line Between Lot 1003 R-2 (Grocery Store and Town Hall Footprint Lot) with OS-1-E (Parking Lot) to Accommodate a Grocery Store/Building Addition (14)

Mayor Benitez recused herself because of her relationship with TMVOA Executive Director Anton Benitez. Director of Planning and Development Services Michelle Haynes and TMVOA Director of Operations & Finance Garrett Brafford presented. On a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted 6-0 (with Mayor Benitez recused) to consent to an inclusion of Lot OS-1-E in an application submitted by the TMVOA to adjust the lot line between Lot 1003R-2 (Town Hall and grocery store footprint lot) with OS-1-E (Parking Lot) to accommodate a grocery store/building addition.

Safety Enhancement Options for Bike and Pedestrian Traffic on Lower San Joaquin, Village Center, Mountain Village Blvd and Upper Country Club Drive (15)

Director of Public Works Finn Kjome presented. Council discussion ensued regarding three areas:

- San Joaquin Road
- Mountain Village Blvd from Blue Mesa, through Village Center to Country Club Drive
- Country Club Drive

Council consensus was to focus on the following three options:

- (1) Widen the shoulders on San Joaquin and include rumble strips with no traffic study;
- (2) Complete a sidewalk and consider a bike lane on Mountain Village Blvd from Blue Mesa through Village Center to Country Club;
- (3) Construct a sidewalk around the S curve on Country Club Drive and widen the shoulder on the other side for bikes.

Additionally, Council discussed approaching TSG for an easement and improvements for pedestrian traffic on the bypass foot path. Staff will include the cost of these three improvements in the draft budget to be presented at the October 9th budget meeting. Council will determine what should be prioritized and planned for 2020.

Council took a break for lunch from 12:13 p.m. to 12:41 p.m.

Efficiency Lodge Zoning Designation (16)

Director of Planning and Development Services Michelle Haynes and Associate Town Attorney Sarah Abbott presented. The purpose of the work session was to provide history and context to zoning designations; why the Town has zoning designations and why there is a density limitation. Public comment was received by Sue Berg, Marsha Raeber, Bill Jensen, Amy Allison, Keith Brown, David MacKown, Mike Theile and Virginia Howard. Council discussion ensued. Council consensus was that it is important to educate realtors, attorneys and HOAs on zoning designations and directed staff to make available a list of all efficiency lodge units. Ms. Haynes stated that she could produce a list in approximately 4-6 weeks after vetting with the HOAs first. Council directed staff to move forward with draft CDC amendments in the following month, that would clarify the definition of short-term accommodations and other zoning definitions and to add criteria to rezone applications. Council indicated a desire to waive planning fees for rezone applications during this time of education and compliance. Council asked staff to research the Mountain Village properties that subscribe to VRBO (Vacation Rentals By Owners) to determine their zoning designations and to consider simplifying the zoning designation list.

Council took a break from 2:40 p.m. to 2:48 p.m.

Consideration of Engaging Mountain States Employers Council for an Employee Hotline (17)

Sue Kunz presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to engage Mountain States Employers Council for an Employee Hotline.

**Presentation of the Town of Mountain Village Maintenance Building Renovation Proposal
Continued from the July Meeting (18)**

Finn Kjome and Chris Clemmons of the Bauen Group presented. Council discussion ensued.

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

Update on Village Center Pond Dredging Project and Improvements (19)

Town Manager Kim Montgomery and Finn Kjome presented. Council discussion ensued.

Consideration of Approval of CC4CA's (Colorado Communities for Climate Action) Policy Statement (20)

Patrick Berry presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adopt the CC4CA's Policy Statement as presented.

Report on June Colorado Municipal League Conference (21)

Bill Kight and Dan Caton presented.

Council Boards and Commissions Updates: (22)

- a. San Miguel Watershed Coalition-Starr
- b. Colorado Flights Alliance-Gilbride
- c. Transportation & Parking-Duprey/Benitez
- d. Budget & Finance Committee- Gilbride/Duprey
- e. Gondola Committee-Caton/Berry
- f. Colorado Communities for Climate Action-Berry
- g. San Miguel Authority for Regional Transportation -Caton/Prohaska/Benitez
- h. Eco Action Partners-Berry/Prohaska
- i. Telluride Historical Museum-Prohaska
- j. Telluride Conference Center-Binder/Gilbride
- k. Alliance for Inclusion-Binder
- l. Green Team Committee- Berry/Prohaska
- m. Community Grant Committee-Benitez/Binder
- n. Mayor's Update- Benitez

Other Business: (23)

- a. Notification of Upcoming Green Team Committee Seats Expiration

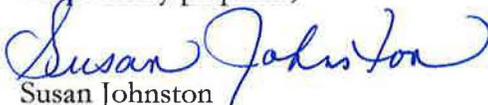
Jackie Kennefick presented.

- b. Road Improvement Fund Allocations

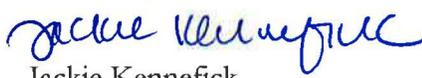
Finn Kjome presented.

There being no further business, on a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted unanimously to adjourn the meeting at 3:49 p.m.

Respectfully prepared,


Susan Johnston
Deputy Town Clerk

Respectfully submitted,


Jackie Kennefick
Town Clerk

