



TOWN OF MOUNTAIN VILLAGE
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TOWN OF MOUNTAIN VILLAGE MINUTES OF THE DECEMBER 12, 2019 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:32 a.m. on Thursday, December 12, 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
Pete Duprey
Marti Prohaska
Natalie Binder

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Town Clerk
Susan Johnston, Deputy Town Clerk
Christina Lambert, Deputy Clerk
David Reed, Town Attorney
Jim Mahoney, Assistant Town Attorney
Sue Kunz, Director of Human Resources
Chris Broady, Chief of Police
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
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
Rob Johnson, Transit Manager

Michael Martelon
Matt Skinner
Tim Johnson
Anton Benitez
Elizabeth Stuffings
Pam Pettee
Corinne Cavender
Hope Logan
Jolana Vanek
Marcy Pickering
Julia Caulfield
Keith Brown
Garrett Brafford
Abbott Smith
Mark Carlson

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 (2)

Attorney David Reed stated that the Executive Session will include a personnel matter. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to enter into Executive Session for the purposes of a personnel matter pursuant to C.R.S. Section 24-6-402((4)(f)(I)), for 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 (2) at 8:33 a.m.

Council returned to open session at 9:41 a.m.

Public Comment on Non-Agenda Items (4)

Public comment was received by Jolana Vanek.

Consideration of Approval Minutes: (5)

Deputy Town Clerk Susan Johnston presented.

a. November 21, 2019 Regular Town Council Meeting

On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to approve the November 21, 2019 Regular Town Council meeting minutes as presented.

Liquor Licensing Authority: Quasi-Judicial (6)

a. Consideration of a Special Event Liquor Permit Application by the Telluride Blues Society in Conjunction with Wagner Skis for Events on January 11th, February 8th and March 14th, 2020 from 1:00 PM to 6:00 PM

The applicant withdrew the application.

Tri-County Health Network 2020 Census Presentation (7)

Community Specialists for AmeriCorps Vista Hope Logan and Corrinne Cavender presented. Council discussion ensued.

Consideration of a Proclamation in Support of the 2020 Census (8)

Mayor Benitez read the Proclamation. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council voted unanimously to approve a Proclamation in Support of the 2020 Census.

Second Reading, Public Hearing and Council Vote on an Ordinance of the Town Council of The Town of Mountain Village Amending Chapter 5.04 of the Municipal Code Vesting Authority of Administrative Review and Approval of Liquor License Applications and to Include Revised Statutory References (9)

Assistant Town Attorney Jim Mahoney presented. The Mayor opened the public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted 7-0 to adopt an Ordinance amending Chapter 5.04 of the Municipal Code vesting authority of administrative review and approval of liquor license applications and to include revised statutory references.

Colorado Flights Alliance (CFA) and Marketing Telluride Inc (MTI) Bi-Annual Reports (10)

President and CEO of Marketing Telluride Inc. Michael Martelon presented. Colorado Flights Alliance Chief Operating Officer Matt Skinner presented. Public comment was received by Jolana Vanek.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Rezone and Density Transfer Application at Lot 640A, 306 Adams Ranch Rd, to Increase Employee Apartment Density by 12 Units from 30 to 42 Units (The Applicant has Requested that this Item be Continued to the January 16, 2020 Council Meeting) (11)

Senior Planner John Miller presented stating that the applicant had requested that this item be continued to the January 16, 2020 Town Council meeting. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted unanimously to continue this item to the January 16, 2020 Town Council meeting.

Consideration of a Resolution Regarding a Conditional Use Permit for a Real Estate/Property Management Office in a Primary Pedestrian Area on Lot 65, 618 Mountain Village Boulevard (Continued from the November 21, 2019 Council Meeting) (12)

Planner Sam Starr presented. Marti Prohaska recused herself as her company does business with the applicant. Peak Property Management owner Marci Pickering addressed Council. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve a Resolution regarding a Conditional Use Permit for a real estate/property management office in a primary pedestrian area on Lot 65 with the following conditions:

1. Any additional deviations, modifications or alterations to the business operations described in this approval will require the applicant to submit a new application for Conditional Use Permit Review.
2. The Conditional Use Permit will expire with Peak Property Management's lease in the Centrum Building on April 30, 2021.
3. The applicant, Peak Property Management, shall be refunded for the building permit fees and sign fees submitted in 2019.

Natalie Binder left the meeting from 10:55 a.m. to 11:43 a.m.

Consideration of a Resolution Regarding a Minor Subdivision on Lot 925, 137 Sundance Lane, to Remove Existing Town Earthwork Easements on the Property(13)

Sam Starr presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted 6-0 (with Natalie Binder absent) to adopt a Resolution regarding a Minor Subdivision on Lot 925, 137 Sundance Lane, to remove existing Town earthwork easements on the property.

Council took a break from 11:00 a.m. to 11:05 a.m.

Finance: (14)

Director of Finance Kevin Swain presented.

- a. **Presentation of the October 31, 2019 Business & Government Activity Report (BAGAR)**
- b. **Second Reading, Public Hearing and Council Vote on an Ordinance of the Town Levying Property Taxes for the Year 2019 to be Collected in 2020**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted 6-0 (with Natalie Binder absent) to adopt an Ordinance levying property taxes for the year 2019 to be collected in 2020.

- c. **Second Reading, Public Hearing and Council Vote on an Ordinance Adopting the 2020 Budget and Revising the 2019 Budget**

Director of Public Services Finn Kjome stated that it is being recommended that a new full-time position be created for a VCA Maintenance Manager. This position would report to Director Michelle Haynes. Council directed staff to increase the VCA budget to \$35,000. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 6-0 (with Natalie Binder absent) to approve an Ordinance adopting the 2020 Budget and revising the 2019 Budget with the above revision.

On a **MOTION** by Patrick Berry and seconded by Marti Prohaska, Council voted unanimously to convene as the Dissolved Mountain Village Metro District Board.

Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: (15)

- a. **Consideration of a Resolution Adopting the 2020 Mountain Village Metro District Budget**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted 6-0 (with Natalie Binder absent) to approve a Resolution adopting the 2020 Mountain Village Metro District Budget.

- b. **Consideration of a Resolution Appropriating Sums of Money for 2020**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, (with Natalie Binder absent) Council voted unanimously to adopt a Resolution appropriating sums of money for 2020.

- c. **Consideration of a Resolution Revising the 2019 Budget**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted 6-0 (with Natalie Binder absent) to adopt a Resolution revising the 2019 Budget.

- d. **Consideration of a Resolution Re-Appropriating Sums of Money for 2019**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 6-0 (with Natalie Binder absent) to adopt a Resolution re-appropriating sums of money for 2019

- e. **Consideration of a Resolution Setting the Mill Levy for 2019 to be Collected in 2020**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 6-0 (with Natalie Binder absent) to adopt a Resolution setting the Mill Levy for 2019 to be collected in 2020.

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted 6-0 (with Natalie Binder absent) to reconvene as the Mountain Village Town Council.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding the Community Development Code (CDC) Amendments to Design Variations at Section 17.4.11.E.5 and Building Design Section 17.5.6 (16)

Director of Planning and Development Services Michelle Haynes presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Dan Caton, Council vote 6-0 (with Natalie Binder absent) to approve an Ordinance on first reading regarding the Community Development Code Amendments to design variations at Section 17.4.11.E.5 and building design, Section 17.5.6 and to set the second reading for January 16, 2020.

Council moved to agenda item 25.

Council took a lunch break from 12:05 p.m. to 12:39 p.m. (17)

Consideration of Blue Mesa Lodge Rezoning: (18)

- a. **Second Reading, Public Hearing and Council Vote on an Ordinance for a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 30A and 30B from Two (2) Efficiency Lodge Zoning Designation Units to One (1) Lodge Zoning Designation Unit**

Michelle Haynes presented. Council discussion ensued. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted 7-0 to approve an Ordinance for a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 30A and 30B from Two (2) Efficiency Lodge Zoning Designation Units to One (1) Lodge Zoning Designation Unit with findings and conditions that our lot list be updated from one unit to two units.

- b. **Second Reading of an Ordinance, Public Hearing and Council Vote Regarding a Rezone and Density Transfer to Rezone Blue Mesa Lodge (Lot 42B), Unit 41A from One (1) Efficiency Lodge Zoning Designation Unit to One (1) Lodge Zoning Designation Unit**

Sam Starr 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 Marti Prohaska and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance Approving a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B), Unit 41R from one (1) Efficiency Lodge Zoning designation unit to one (1) Lodge Zoning.

- c. **Second Reading of an Ordinance, Public Hearing and Council Vote Regarding a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 33A and 33B from Two (2) Efficiency Lodge Zoning Designation Units to One (1) Lodge Zoning Designation Unit**

Sam Starr 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 Natalie Binder, Council voted 7-0 to adopt an Ordinance for a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 33A and 33B from two (2) Efficiency Lodge zoning designation units to one (1) Lodge Zoning designation unit.

- d. **Second Reading of an Ordinance, Public Hearing and Council Vote Regarding a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Unit 21A & 21B from Two (2) Efficiency Lodge Zoning Designation to One (1) Lodge Zoning Designation**

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 Dan Caton and seconded by Patrick Berry, Council voted 7-0 to adopt an Ordinance for a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 21A and 21B from two (2) Efficiency Lodge zoning designation units to one (1) Lodge Zoning designation.

- e. **Second Reading of an Ordinance, Public Hearing and Council Vote Regarding a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Unit 41B from an Efficiency Lodge Zoning Designation to Lodge Zoning Designation**

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 Marti Prohaska, Council voted 7-0 to adopt an Ordinance for a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 41B from an Efficiency Lodge zoning designation to Lodge Zoning designation unit.

f. **Blue Mesa Lodge Lot 42, Unit 21C (This Item to be Continued to the January 16, 2020 Town Council Meeting)**

- i. **First Reading of an Ordinance, Setting of a Public Hearing and Council Vote Regarding a) a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Unit 21C from an Efficiency Lodge Zoning Designation to Lodge Zoning Designation**
- ii. **Consideration of a Resolution Approving a Variance to the Lodge Parking Space Requirement Pursuant to CDC Section 17.4.16 (Continued from the November 21, 2019 Town Council Meeting)**

John Miller presented. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted unanimously to continue the above items to the January 16, 2020 Town Council meeting.

g. **Blue Mesa Lodge Lot 42B, Units 22A, 22B and 22C**

- i. **First Reading, Setting of a Public Hearing and Council Vote of an Ordinance Regarding a) a Rezone and Density Transfer Application to Rezone Blue Mesa Lodge (Lot 42B) Units 22A, 22B and 22C from Three (3) Efficiency Lodge Zoning Designation to Lodge Zoning Designation**

Sam Starr presented. Public comment was received by Keith Brown. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 7-0 to approve on first reading, an Ordinance regarding a) a Rezone and Density Transfer Application to rezone Blue Mesa Lodge (Lot 42B) Units 22A, 22B and 22C from three Efficiency Lodge Zoning designation to Lodge Zoning designation and to set a second reading, public hearing and final vote for January 16, 2020.

- ii. **Consideration of a Resolution Approving a Variance to the Lodge Zoning Designation Definition Under Community Development Code Section 17.8**

Sam Starr presented. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted unanimously to adopt a Resolution approving a variance to the Lodge Zoning Designation definition under Community Development Code Section 17.8.

Council moved to agenda item 20.

Village Court Apartments: (19)

Michelle Haynes presented.

1. Review of VCA Tenant Committee Draft Framework

Council discussion ensued regarding development of the VCA Tenant Committee. Council direction was to include five VCA residents, one staff member, and one Council member with staggered terms for the committee seats and a January 31, 2020 deadline for resident applications. Council directed the legal department to draft bylaws for the committee. The VCA sub-committee will review the applications and make recommendations to Council. Council directed staff to modify the committee mission statement to omit the phrase "with a positive attitude". Public comment was received by Pam Pettee.

2. VCA Phase IV

a. Review of Community Survey Results

Michelle Haynes stated that 242 people responded to the Community Survey. Council consensus was to wait until January or February to determine the direction to staff regarding VCA Phase IV. Public comment was received by Pam Pettee.

b. Presentation and Discussion of Committee

Council discussion ensued.

Council moved to agenda item 24.

Consideration of Approval of Revised Green Team Committee Bylaws for the Inclusion of an Alternate Seat (20)

Business Development & Sustainability Manager Zoe Dohnal presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to approve the revised Green Team Committee Bylaws for the inclusion of an alternate seat as presented.

2018 Mountain Village Government Energy Use & Green House Gas Report (21)

Zoe Dohnal presented. Council discussion ensued.

Consideration of a Resolution Approving the Town of Mountain Village's Commitment to the Global Covenant of Mayors for Climate and Energy (22)

Zoe Dohnal presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Marti Prohaska, Council voted unanimously to adopt a Resolution approving the Town's commitment to the Global Covenant of Mayors for Climate and Energy and authorize the Mayor to sign the commitment letter.

Council took a break from 1:04 p.m. to 1:17 p.m.

Common Consumption Area (CCA) Update (23)

Telluride Mountain Village Owners Association (TMVOA) President & Chief Executive Officer Anton Benitez and Telluride Distilling Co. owner Abbott Smith presented. Council discussion ensued.

Council moved to agenda item 19.

San Miguel Watershed Coalition Update (24)

Program Coordinator Elizabeth Stuffings presented.

Council moved to agenda item 26.

Council Boards and Commissions Updates: (25)

- 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**

Council directed staff to agendize a work session to discuss the future of the Conference Center at the February Town Council meeting.

- k. **Alliance for Inclusion-Binder**
- l. **Green Team Committee- Berry/Prohaska**
- m. **Community Grant Committee-Benitez/Binder**
- n. **Mayor's Update- Benitez**

Council moved to agenda item 17.

Other Business: (26)

Jim Mahoney stated that the Town of Telluride requested that the Town of Mountain Village consider an Ordinance that would raise the purchase age for tobacco products and e-cigarettes purchase age from 18 to 21 similar to the one that Telluride is considering. This item will be agendized for the February 20, 2020 Town Council meeting.

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to continue the meeting beyond 6 hours.

There being no further business, on a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to adjourn the meeting at 2:36 p.m.

Respectfully prepared,



Susan Johnston
Deputy Town Clerk

Respectfully submitted,



Kim Montgomery
Town Manager

