



TOWN OF MOUNTAIN VILLAGE
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**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE MAY 20, 2021
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:30 a.m. on Thursday, May 20, 2021. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Patrick Berry
Pete Duprey Via Zoom
Natalie Binder Via Zoom
Jack Gilbride
Marti Prohaska

The following Town Council members were absent:

Also in attendance were:

Kim Montgomery, Town Manager
Susan Johnston, Town Clerk
Christina Lambert, Senior Deputy Town Clerk
Paul Wisor, Town Attorney
Julie Vergari, Chief Accountant
Chris Broady, Chief of Police
Jaime Holmes, Human Resources Director
Lindsay Niehaus, Human Resources Coordinator
Zoe Dohnal, Business Development and Sustainability Director
Kathrine Warren, Public Information Specialist
Michelle Haynes, Director of Planning & Development Services
John Miller, Senior Planner
Luke Adamson, VCA Manager
Jim Soukup, Chief Technology Officer
Steven Lehane, Director of Broadband
Jory Hasler, Cable Technician
Kate Burns, Controller
Finn Kjome, Public Works Director
JD Wise, Assistant Director of Public Works
Jim Loebe, Director of Transportation & Recreation
Amy Ward, Planner
Jodi Miller, Administrative Assistant & Evidence Technician
Brian Helm
Delanie Young
Julia Caulfield
Karen Engates
Tim Reimink
Andy Rutz
Uly Brophy

Natalie Grooms
Jonathan Greenspan
Jaquette Tara
Christie Quinn
Beth Hemenway
Jennifer Vogel
Phil Borgman
Margaret Rinkevich
Anthony Baker
Corenna Howard
Amy Levek
Will Downing
Tamara Ogorzalay
Anton Benitez
Rick Flores
Cath Jett
Winston Kelly
Matt Lewis
Michael Lynch
Ken Alexander
Susan Hewitt
Tyler Newman
Corinne Cavender
Harvey Mogenson
Justin Criado
Lindsay Mills
Allison McClain
Doug Tooley
Whitney Rosenfeld

Jay Renkens
Sherri Reeder

Heather Knox

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to add Marketing Telluride Inc. (MTI) negotiations to the Executive Session and add Consideration of an Appointment of a Telluride Mountain Village Owners Association (TMVOA) Representative to the Business Development Advisory Committee (BDAC) under agenda item 25, "Other Business".

Council moved to agenda item 21.

Executive Session for the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators with Respect to Community Housing Initiatives and Marketing Telluride Inc. (MTI) Pursuant to § 24-6-402(4)(b) and (c) (2)

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to move into Executive Session for the purpose of receiving legal advice pursuant to Sec. 24-6-402(4)(b) and (c) regarding determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators with respect to community housing initiatives and MTI negotiations at 8:35 a.m.

Council returned to open session at 9:08 a.m.

Public Comment on Non-Agenda Items (3)

No public comment was received.

Consent Agenda:

All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these Items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: (4)

- a. **Consideration of Approval of the April 22, 2021 Regular Town Council Meeting Minutes**
- b. **Consideration of a Correction to Ordinance 2019-13**

Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the Consent Agenda as presented.

Consideration of a Proclamation Acknowledging May as Mental Health Month 5)

Mayor Benitez read the Proclamation. Tri-County Health Behavioral Health Operations Coordinator Corrine Cavender accepted the Proclamation and thanked Council for their continued support. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted unanimously to approve a Proclamation proclaiming the month of May as Mental Health Month.

The Mayor reopened public comment. Public comment was received by Douglas Tooley and Allison McClain.

Consideration of a Council Appointment to the San Miguel Watershed Coalition (6)

Town Attorney Paul Wisor presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to appoint Marti Prohaska to serve on the San Miguel Watershed Coalition.

MIG Comprehensive Plan Update Regarding the Community Survey Results and Stakeholder Interviews (7)

Michelle Haynes and MIG Project Managers Elly Brophy, Andy Rutz and Jay Renkens presented the survey results. Council discussion ensued. Public comment was received from Douglas Tooley.

9:45 Natalie Binder left the meeting.

Discussion on Mountain Village Police Department Retirement Plan Administered by the Fire and Police Pension Association (FPPA) (8)

Chief of Police Chris Broady presented along with Jaime Holmes, FPPA Representatives Anthony Baker, Phil Borgman, Christie Quinn, Jaquette Tara and Beth Hemenway. Council discussion ensued.

Consideration of a Resolution Authorizing Participation in the Fire and Police Pension Association (FPPA) Defined Benefit System Administered by the FPPA for New Police Officers for the Town of Mountain Village (9)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted 5-1 (with Pete Duprey dissenting and Natalie Binder absent) to approve a Resolution authorizing participation in the Fire and Police Pension Association (FPPA) Defined Benefit System administered by the FPPA for new police officers for the Town of Mountain Village.

Council took a break from 11:00 a.m. to 11:10 a.m.

2021 Community Housing Initiatives(10)

a. Proposed "Your Equity Support" (YES) Deed Restriction Program

Michelle Haynes and Paul Wisor presented. Council discussion ensued. Council direction was to move forward with the program. Public comment was received from Douglas Tooley, Ken Alexander and Amy Levek. Paul Wisor will present supporting documentation to implement the program at the June meeting.

b. Village Court Apartments Update

Paul Wisor presented the update stating that because of the type of bond that was used to finance VCA, the Town would have to pay off or refinance the debt. Mr. Wisor's recommendation was for the Town to continue to own and operate VCA, refinance the debt and subdivide buildings 8 and 9 in phase 4 so that they can be sold for private ownership. Council was in agreement. Public comment was received from Matt Lewis.

Natalie Binder rejoined the meeting at 12:00 p.m.

c. Proposed Zoning Incentives

Michelle Haynes presented. Council had no concerns with the proposed designations.

i. Accessory Dwelling Units

ii. Duplex Overlay

d. Existing Financial and Zoning Incentives

e. Consideration of a Non-Renewal Notice Regarding the San Miguel Regional Housing Authority Intergovernmental Agreement

Paul Wisor and Michelle Haynes presented. Discussion ensued regarding the development of a Community Housing Department. Council discussion ensued. Public comment was received by Michael Lynch and Douglas Tooley. On a **MOTION** by Dan Caton and seconded by Marti Prohaska, Council voted to send a notice of termination to the San Miguel Regional Housing Authority regarding the Intergovernmental Agreement termination and to recruit for a housing director.

Council took a break from 12:20 p.m. to 12:35

Finance: (11)

Chief Accountant Julie Vergari presented.

a. Presentation of the April 30, 2021 Business & Government Activity Report (BAGAR)

b. Consideration of Approval of the March 31, 2021 Financials

Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Pete Duprey, Council voted unanimously to approve the March 31, 2021 Financials as presented.

c. Consideration and Ratification of the 2022 Budget Process

On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the 2022 Budget Process.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding a Density Transfer and Rezone on Lot 30, 98 Aspen Ridge, to Increase the Condominium Density from Nine (9) Condominium Zoning Designation Units and Two (2), Employee Condominium Zoning Designation Units to Sixteen (16) Condominium Zoning Designation Units and Three (3) Employee Condominium Zoning Designation Units *The This Item is to be Continued to the July 15, 2021 Regular Town Council Meeting (12)*

Senior Planner John Miller presented stating that the item will be continued to the July 15, 2021 Regular Town Council meeting. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted unanimously to continue the item to the July 15, 2021 Regular Town Council meeting.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Extend a Vested Property Right and Plan at Lot 1003R-1, 433 Mountain Village Boulevard, Gondola Parking Garage Expansion from October 20, 2021 to October 20, 2031 (13)

John Miller presented. Council discussion ensued. Public comment was received by Douglas Tooley. On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council voted 7-0 to approve an Ordinance on first reading to extend a vested property right and plan at Lot 1003R-1, 433 Mountain Village Boulevard, Gondola Parking Garage expansion from October 20, 2021, to October 20, 2031 pursuant to CDC section 17.4.17 and to set the second reading, public hearing and final vote for June 17, 2021.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Consider a Vested Property Right and Plan Extension for Lot 1001R, 415 Mountain Village Boulevard, Village Court Apartments (VCA) Phase IV from July 18, 2021 to July 18, 2031(15)

John Miller presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Dan Caton, Council voted 7-0 to approve on first reading an Ordinance considering a vested property right and site-specific development plan application at Lot 1001R, 415 Mountain Village Boulevard, Village Court Apartments (VCA) Phase IV from July 18, 2021 to July 18, 2031 pursuant to CDC Section 17.4.17 and to set the second reading, public hearing and final Council vote for June 17, 2021.

Environmental Efficiency and Grant Coordinator Discussion (16)

Patrick Berry and Business Development and Sustainability Director Zoe Dohnal presented. Council discussion ensued. Council directed staff to move forward with adding the position.

Return to Office Post Covid Plan (17)

Town Manager Kim Montgomery and Director of Human Resources Jaime Holmes presented. Council discussion ensued.

Consideration of an Amended and Restated Telluride Bluegrass Festival Parking Agreement (18)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve the Amended and Restated Agreement with Telluride Bluegrass Festival, Inc. for production of the Telluride Bluegrass Festival.

Consideration of an Emergency Ordinance Adding Chapter 8.13 to the Municipal Code Requiring Wildfire and Safety Mitigation of Trees (19)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to continue this item to the July 15, 2021 Regular Town Council meeting.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Authorizing Future Members of Town Council to be Eligible for Certain Benefits (20)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted 7-0 to approve on first reading an Ordinance authorizing future member of the Town Council to be eligible for certain benefits and setting the second reading, public hearing and final vote for the June 17, 2020 Regular Town Council meeting.

Consideration of an Emergency Ordinance Repealing Town of Mountain Village Face Covering Requirements (21)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted 7-0 to adopt an Emergency Ordinance repealing the Town of Mountain Village face covering requirements adopted by Emergency Ordinance 2020-10.

Council moved to agenda item 2.

Consideration of a Revision to the Security Plan for the Common Consumption Area (22)

President & Chief Executive Officer Anton Benitez and Rick Flores presented. Public comment was received by Douglas Tooley. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Marti Prohaska, Council voted to approve the revision to the security plan for the common consumption area.

Staff Reports: (23)

a. Transit & Recreation

Jim Loebe presented his report. Council discussion ensued.

b. Public Works

Finn Kjome presented his report. Council discussion ensued.

a. 2021 Drought Planning Discussion and Council Direction

Council directed staff to draft and implement the 2021 drought plan.

c. Town Manager

Kim Montgomery presented her report. Council discussion ensued.

Town Council Informational Council Boards and Commissions Updates (24)

1. **Telluride Tourism Board – Berry**
2. **Colorado Flights Alliance – Gilbride**
3. **Transportation & Parking – Benitez/Duprey**
4. **Budget & Finance Committee – Gilbride/Duprey**
5. **Gondola Committee – Caton/Berry**
6. **Colorado Communities for Climate Action – Barry**
7. **San Miguel Authority for Regional Transportation (SMART) – Caton/Prohaska**
8. **Telluride Historical Museum – Prohaska**
9. **Alliance for Inclusion – Binder**
10. **Green Team Committee – Berry/Prohaska**
11. **Business Development Advisory Committee (BDAC) – Caton/Benitez**
12. **Mayor's Update – Benitez**


Other Business (25)

Consideration of a Telluride Mountain Village Owners Association (TMVOA) Appointment to the Business Development Committee (BDAC)

The Mayor recused herself. Dan Caton presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to appoint Anton Benitez as the BDAC TMVOA representative.

There being no further business, on a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to adjourn the meeting at 2:27 p.m.

Respectfully prepared and submitted by,


Susan Johnston

Town Clerk